



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Agenda Town Council



Tuesday, April 20, 2021

7:00 PM

Remote Meeting - View Livestream or Cable TV

18

7:00-7:05

A. ROLL CALL

7:05-7:15

B. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

7:15-7:20

C. ANNOUNCEMENT OF UPCOMING MEETINGS

7:20-7:30

D. PUBLIC COMMENT

Comments are limited to three minutes per speaker.

7:30-7:50

E. CONSENT AGENDA

1. [21-6](#) Fire Department Monthly Report
PURPOSE: To provide the Town Council a monthly overview of calls for service.
Attachments: [March 2021 FD Incident Data](#)
2. [21-102](#) Police Department Monthly Report
PURPOSE: The purpose of this agenda item is to provide the Town Council a brief overview of the monthly calls for service.
Attachments: [March 2021 Monthly Report](#)
3. [21-113](#) Stormwater Utility Monthly Report
PURPOSE: The purpose of this item is to provide the monthly update regarding Stormwater Utility projects and initiatives.

Attachments: [April 2021 Stormwater Report](#)

4. [21-119](#) Economic Development Monthly Report
PURPOSE: Regular Monthly Activities and Status Report

Attachments: [Attachment A - March Monthly Report](#)

5. [21-116](#) Request for Town Council to Approve an Increase in the Contract with Stantec for Services Associated with East Main Street Redesign Project
PURPOSE: The purpose of this agenda item is for the Council to approve a contract increase for Stantec the consultant firm preparing the capacity analysis, pavement marking plans and signal plans for the East Main Street restriping project, as part of the preparation of a bid packet for completing the work in concert with NCDOT's scheduled resurfacing project.

Attachments: [Attachment A - Ordinance for East Main Street Redesign AMENDMENT ALM](#)

6. [21-120](#) Resolution Returning Unused Emergency COVID-19 Funds to the CTDA
PURPOSE: This Resolution will return un-loaned funds used to supplement the Emergency COVID-19 Business Loan program back to the CTDA.

Attachments: [Attachment A - Request Letter from CTDA](#)
[Attachment B - RESOLUTION TO RETURN UNUSED CTDA FUNDS](#)

F. OTHER MATTERS

7:50-8:35

1. [21-122](#) Annual Update from OWASA Representatives
PURPOSE: The purpose of this item is to receive an annual update from the Town's appointees on the OWASA Board of Directors.

Attachments: [Attachment A - OWASA Quarterly Report August 2019 CBOA](#)

8:35-9:20

2. [21-123](#) A Resolution Establishing a Community Safety Task Force
PURPOSE: The purpose of this item is for the Town Council to consider establishing a Community Safety Task Force and approving a charge for the task force.

Attachments: [Attachment A - Resolution Establishing a Community Safety Task Force](#)

9:20-10:00

3. [21-117](#) Request-to-Set a Public Hearing on Text Amendments to Establish

Requirements for EV Charging Stations

PURPOSE: The Land Use Ordinance provides an opportunity for advisory boards to initiate the consideration of a text amendment for public benefit. In 2018, the Environmental Advisory Board prepared a memorandum requesting requirements for electric vehicle charging stations as part of the parking standards for new developments. A draft ordinance has been prepared. Text amendments are legislative decisions; the Town Council must receive public input prior to making a decision.

Attachments: [Attachment A - Resolution](#)

[Attachment B - Draft Ordinance EV Charging Stations 04-16-2021](#)

[Attachment C - EAB EV Ready Requirements Petition](#)

[Attachment D - ART-XVIII, Parking](#)

[Attachment E - Draft HB 296](#)

G. MATTERS BY COUNCIL MEMBERS



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:21-6

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Fire Department Monthly Report

PURPOSE: To provide the Town Council a monthly overview of calls for service.

DEPARTMENT: Fire Department

CONTACT INFORMATION: Chief David Schmidt, (919) 918-7349

INFORMATION: This report will provide information on Fire Department calls for service that occurred in Carrboro, South Orange Fire District, and neighboring jurisdictions.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Staff recommends the report be received and accepted.



Location	Fire		Overpressure / Rupture		EMS		Hazardous Condition		Service Call		Good Intent		False Alarm		Weather		Total #	Total %
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		
Carrboro	5	55.6%	0	0.0%	45	86.5%	13	72.2%	8	80.0%	7	46.7%	13	92.9%	0	0.0%	91	76.5%
South Orange	1	11.1%	0	0.0%	7	13.5%	2	11.1%	1	10.0%	3	20.0%	1	7.1%	0	0.0%	15	12.6%
Chapel Hill	2	22.2%	0	0.0%	1	1.9%	1	5.6%	1	10.0%	2	13.3%	0	0.0%	1	100.0%	7	5.9%
North Chatham Fire District	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	20.0%	0	0.0%	0	0.0%	3	2.5%
Orange Grove Fire District	0	0.0%	0	0.0%	0	0.0%	1	5.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.8%
White Cross Fire District	1	11.1%	0	0.0%	1	1.9%	1	5.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	1.7%
Grand Total	9	100.0%	0	0.0%	52	103.8%	18	100.0%	10	100.0%	15	100.0%	14	100.0%	1	100.0%	119	100.0%

Fire	Examples include any type of fire; structure, vehicles, vegetation, rubbish, other outside fires
Overpressure/Rupture	This is an overpressure or rupture of air, steam, or gas where there is no associated fire
EMS	Any type of medical call or rescue of a person in distress
Hazardous Condition	Any type of condition where no fire exists - fuel/chemical spills, electrical equipment failure
Service Call	Examples of Public service incidents include: lockouts, water leaks, assisting other public agencies
Good Intent	Examples of good intent incidents include: steam mistaken for smoke, authorized controlled burns, no incident found at the location
False Alarm	Examples of false alarms include: alarms sounding due to a malfunction or the unintentional activation, and malicious false alarms.
Weather	Examples of weather incidents include: earthquakes, floods, damage assessments, or weather spotting
Special Incident	Example of special incidents include: citizen complaints due to code or ordinance violations



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File Number:21-102

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File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Police Department Monthly Report

PURPOSE: The purpose of this agenda item is to provide the Town Council a brief overview of the monthly calls for service.

DEPARTMENT: Police Department

CONTACT INFORMATION: Chief Chris Atack, 919-918-7397

INFORMATION: This report will provide information on calls for service, arrests, traffic stops, citations, use of force, and, starting April 2021, accidents.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Staff recommends that the Town Council receive and accept this report.

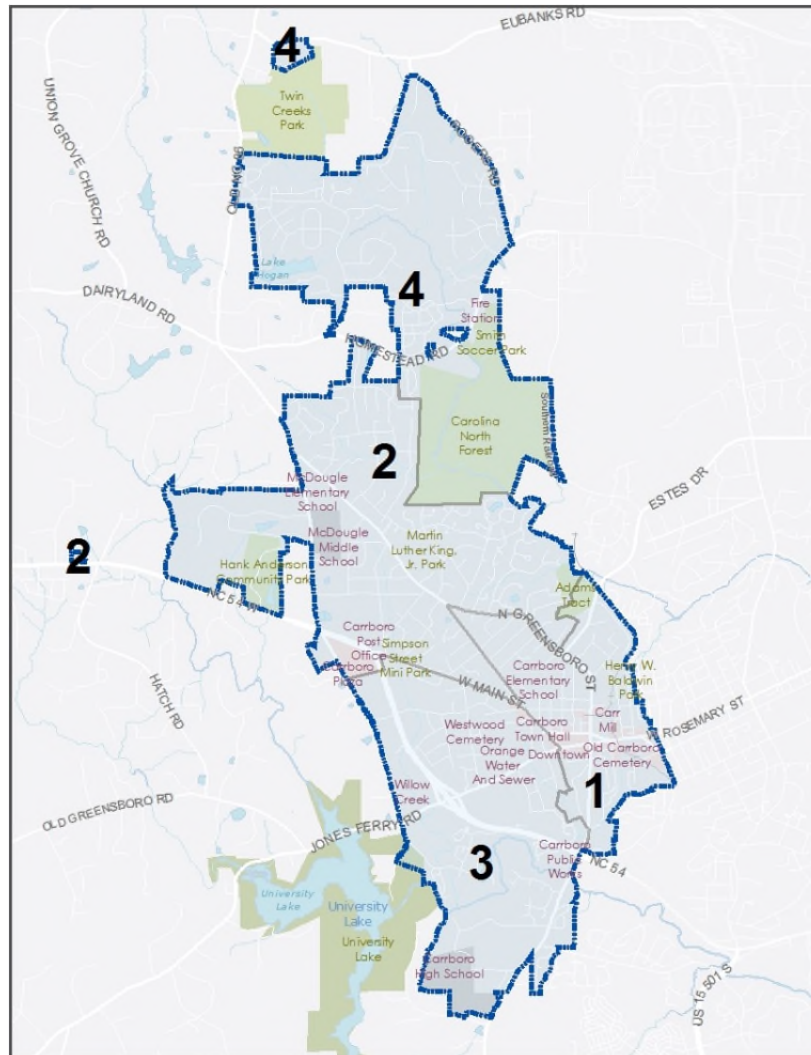


CARRBORO POLICE DEPARTMENT

Community • Accountability • Respect • Ethics

Monthly Report
March 2021

Patrol Areas



Calls for Service

	February	March	% Change
Area 1	339	458	35.10%
Area 2	206	312	51.46%
Area 3	646	693	7.28%
Area 4	120	124	3.33%
Total	1311	1587	21.05%
Traffic Stops	217	337	55.30%
Citations	217	153	-29.49%
Arrest	28	33	17.86%
Use of Force	1	1	0.00%



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File Number:21-113

Agenda Date: 4/20/2021

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In Control: Board of Aldermen

Version: 1

TITLE:

Stormwater Utility Monthly Report

PURPOSE: The purpose of this item is to provide the monthly update regarding Stormwater Utility projects and initiatives.

DEPARTMENT: Public Works

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager, 919 918-7341

INFORMATION: The report identifies 8 separate projects and initiatives that Stormwater staff are currently involved in. These are specific efforts, some time-limited and others part of ongoing stormwater program development, that are above and beyond the baseline workload that includes but is not limited to: program administration; responding to requests for support and community outreach; stormwater system inspection and maintenance; reviewing development plans; stream determinations/buffer reviews; and illicit discharge response and pollution prevention.

An emphasis of Stormwater staff work (beyond core workload) since the last report has been preparation of a grant proposal to support a restoration/gulley repair and demonstration project focused on an 11 acre drainage area adjacent to Bolin Creek.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with this update. There are/will be nearer and longer term fiscal and staff impacts, as presented in the report.

RECOMMENDATION: It is recommended that the Council receive the staff report.

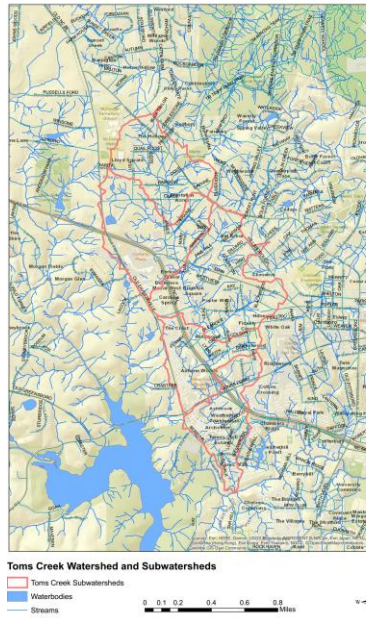
STORMWATER UTILITY MONTHLY REPORT

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PART 1: WATER QUANTITY DRIVEN WORK

1. RainReady Study Follow Up



Project Description: In 2019, the Council directed staff to move forward with a pilot study due to the persistent and ongoing need to address flooding issues, with the upper Toms Creek watershed serving as the geographic focus.

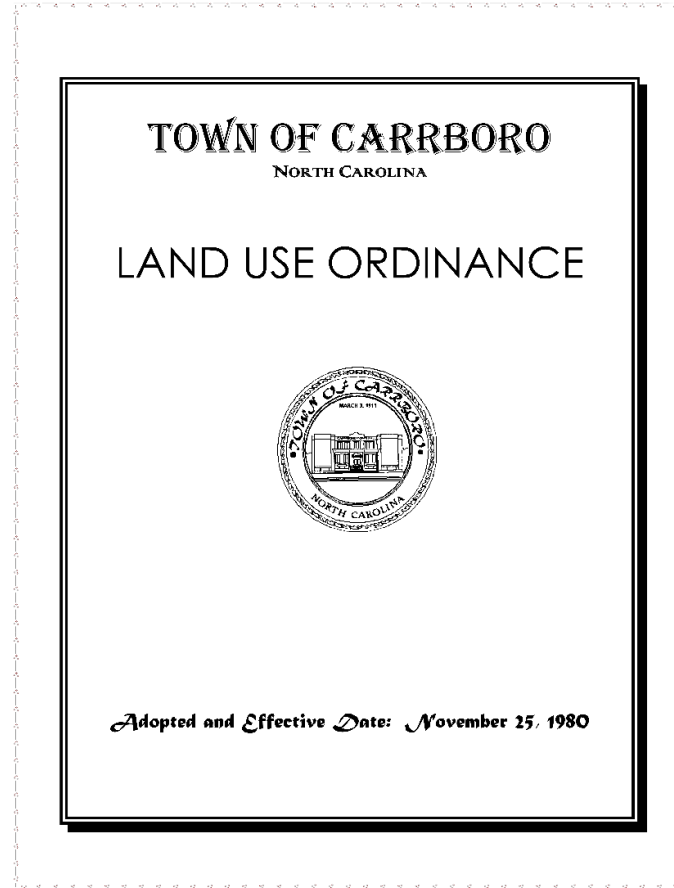
Project Background: For the Toms Creek watershed, flooding and drainage is a recurring and important theme. The upper watershed has received the most attention in recent years due to the degree of flooding and drainage issues experienced by residential property owners both in the regulated floodplain and other areas. A watershed based approach is needed to comprehensively address the issues that exist. An emerging concern is resiliency in consideration of the growing number of recent intense storms and the potential for a shift to more flooding in the future due to climate change.

Status: Planning. The Town contracted with the Center for Neighborhood Technology (CNT), resulting in a “RainReady” report in May, 2020. Sungate Design has also completed an engineering assessment of a catchment between Hillsborough Rd. and West Main Street with known drainage issues.

Fiscal and Staffing Considerations: Sungate’s work cost \$16.5k and the CNT’s work cost \$25k. There could be further implementation costs as a result of these projects. Any fiscal impact resulting from financial assistance to be provided as part of a new program will be determined through administrative and policy level review. There has been and will continue to be a staff impact associated with technical assistance. This impact will increase if staff will be administering a new program.

Additional Information: Additional information is available from multiple Council agenda items from 2013-2019. A [project website](#) has been created with relevant historical and project related information.

2. Land Use Ordinance Stormwater Provisions Review



Project Description: LUO stormwater provisions are under review.

Project Background: At the April 16, 2019 meeting, the Council referred further review of the stormwater provisions in the LUO to staff and the Stormwater Advisory Commission in consideration of the flooding and drainage impacts being experienced and elevated risk for increasing impacts due to climate change.

Status: Planning. This has been referred to Stormwater and Planning staff, Sungate Design, and the Stormwater Advisory Commission. Staff and Sungate are currently researching and considering the scope of potential changes, and anticipate working with the SWAC later in 2021 to allow for a nearer term focus on regulatory compliance, capital project planning, and SCM maintenance and inspection.

Fiscal and Staffing Considerations: There is no fiscal impact with reviewing and amending the LUO. There will be a staff impact with performing the review.

Additional Information:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3919560&GUID=59CDD594-2973-4C2B-813C-738A1CF5707B&Options=&Search>

<http://www.townofcarrboro.org/DocumentCenter/View/698/Article-XVI-Floodways-Floodplains-Drainage-and-Erosion-PDF>

3. FEMA Hazard Mitigation Grant Program Letters of Interest (Acquisition and Elevation)



Project Description: The information presented below is for an acquisition project for 116 Carol Street, and a new elevation project for 100 James Street

Project Background: Following on Hurricane Florence and Tropical Storm Michael, FEMA announced new rounds of HMGP funding. In addition to the Lorraine Street properties discussed above, two additional homeowners at 116 Carol Street and 100 James Street (properties included in previous HMGP applications for acquisitions that did not move forward) have responded, and were included in Letters of Interest submitted by the Town to the NC Department of Public Safety (NCDPS). Staff submitted one Letter of Interest for an acquisition project for 116 Carol Street and a second Letter of Interest for elevation of the home at 100 James Street in early 2019. Staff received notification in the summer of 2019 that the NCDPS would accept applications.

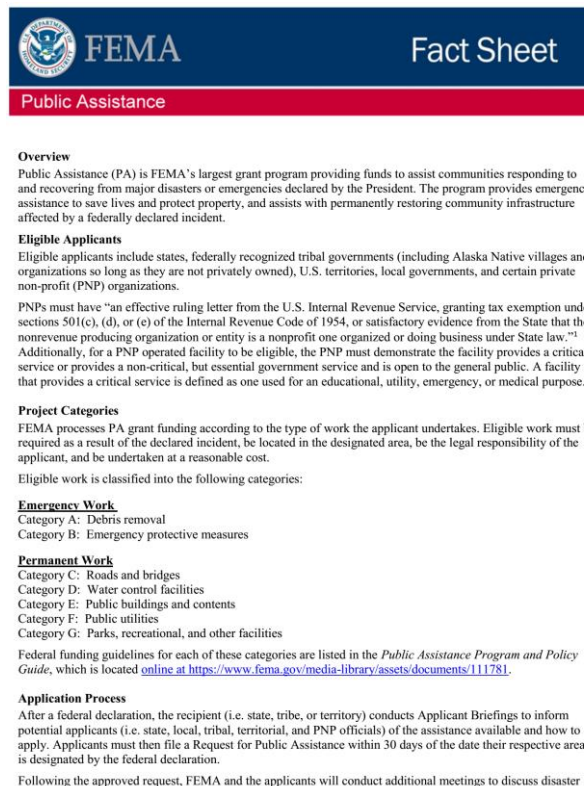
Status: Applications in Review. Application materials for the 116 Carol acquisition were submitted to the State in October, 2019 under Hurricane Florence. Application materials for the 100 James Street elevation were submitted to the State in November, 2019 under Tropical Storm Michael. Staff regularly check on the status, which has remained “pending obligation” since the applications were submitted. If approved, staff will follow up with pursuit of entering into (a) grant agreement(s) for one or both projects.

Fiscal and Staffing Considerations: If the Town is able to successfully enter into grant agreements (one for acquisition and one for elevation), costs for work covered by the grants will first be borne by the Town and then reimbursed to the Town with a combination of both Federal and State funds covering eligible costs, provided that all grant requirements are met. Elevation costs can be reimbursed at up to \$175k per home and acquisition costs at up to \$276k per home. There would be a significant staff impact to administer the grant funds.

Additional Information:

https://www.fema.gov/media-library-data/1493317448449-b83f27544e36b7bf67913f964a56b15a/HMA_Homeowners_Guide_040717_508.pdf

4. FEMA Public Assistance: Damage Recovery from Hurricane Florence



Project Description: The Town has been working through the FEMA Public Assistance process for damage recovery from Hurricane Florence. This aspect of Public Assistance is associated with covering the costs for debris removal, emergency protective measures, restoring roads, equipment and facilities to pre-storm conditions, and administrative costs. It is considered separately from the activities described in #11 below, although also under the Public Assistance umbrella.

Project Background: Stormwater staff have been leading the Town's pursuit of FEMA Public Assistance funding. Staff have submitted claims for losses not covered by insurance and have been working with FEMA/NCDPS staff to document and receive reimbursement, as well as reimbursement for staff time associated with emergency response and follow up. This process has been underway since the winter.

Status: Closeout. The Florence damage recovery work and reimbursal has been completed. Staff are working with NCDPS and FEMA to close out the final review now that the stream restoration project (#11) is complete.

Fiscal and Staffing Considerations: The Town has received about \$59k in uninsured costs from FEMA to date, and could receive up to about \$200k of additional funds, including any funds granted for the stream restoration project, and for staff time for Public Assistance administration. This work has required over 500 hundred hours of Stormwater staff time.

Additional Information:

https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf
https://www.fema.gov/pdf/government/grant/pa/fema323_app_handbk.pdf

PART 2: WATER QUALITY & FEDERAL/STATE REGULATORY DRIVEN WORK

5. NPDES Town Wide Permit

What is an MS4 Permit Compliance Audit?

An MS4 Audit is a structured review of the Stormwater Management Program to evaluate whether the MS4 is meeting the requirements specified in the NPDES MS4 Permit & Stormwater Management Plan (SWMP)



AKA do you have your ducks in a row?

Department of Environmental Quality



Regulatory Requirement: The Town is regulated under a town wide permit that requires the Town to implement a comprehensive stormwater management program that includes six minimum measures:

- (1) Public education and outreach on stormwater impacts
- (2) Public involvement/participation
- (3) Illicit discharge detection and elimination
- (4) Construction site stormwater runoff control (delegated to Orange County)
- (5) Post-construction stormwater management for new development and redevelopment, and
- (6) Pollution prevention/good housekeeping for municipal operations.

The initial Carrboro permit was issued effective July 1, 2005, renewed in 2011, and again in 2017.

Background: In 1990, under the authority of the federal Clean Water Act and starting with large (population >100k) municipalities (and industries), EPA began regulating stormwater runoff. In 2000, the scope was extended to smaller municipalities, and EPA delegated the authority to the State to issue these municipalities (including Carrboro) a stormwater permit.

Status: Active. The planned EPA/State NPDES Phase II stormwater permit audit was completed on August 12. A Notice of Violation, as anticipated and previously reported, was provided on November 2. Staff prepared additional information as part of Council and Stormwater Advisory Commission agendas in early November. Staff presented a draft Stormwater Management Plan to the Stormwater Advisory Commission in early January, submitted this plan to the NCDEQ, and are awaiting NCDEQ review for next steps.

Fiscal and Staffing Considerations: Preparing for and follow up from this audit and improving the Town's permit compliance and record keeping activities has been and will continue to be a significant undertaking.

Additional Information:

<https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-ms4-permitting>

6. Stormwater Control Measure Maintenance and Inspection Program



Background: The Town’s Land Use Ordinance (LUO) has required “Stormwater Control Measures” (SCMs) as part of development projects. SCMs treat runoff to reduce both water quantity and quality impacts. Since 2007, the LUO¹ has articulated requirements for private landowner maintenance of SCMs. (Prior to 2007, this responsibility was implicit rather than explicit.) In early 2020, the Council approved a rate increase to support the necessary capacity to expand program efforts in general, and specifically including SCM compliance oversight. In August, 2020, NCDEQ audited the Town’s performance for its permit. Past oversight of SCM maintenance was a recognized permit performance deficiency. Moving forward with a compliant and comprehensive Town wide SCM maintenance oversight program is also seen as an immediate and effective action that the Town can take for flood/climate change resilience since there are many existing SCMs for which performance can be improved with proper maintenance, and risks of poorer future performance can also be avoided through preventative maintenance.

Status: Active. The concept that staff are moving forward with, given the above, is to move forward with the SCM maintenance and inspection program activities with goals of:

- 1) A letter being sent to all owners of Town permitted SCMs outlining their responsibilities and clear communications about the program and what will be happening going forward (initiated in November);
- 2) All owners of Town permitted SCMs being required to initiate their own annual reporting of their maintenance and inspection efforts by the end of 2021;
- 3) Stormwater staff committing to complete staff inspections of all Town permitted SCMs by the end of 2022.

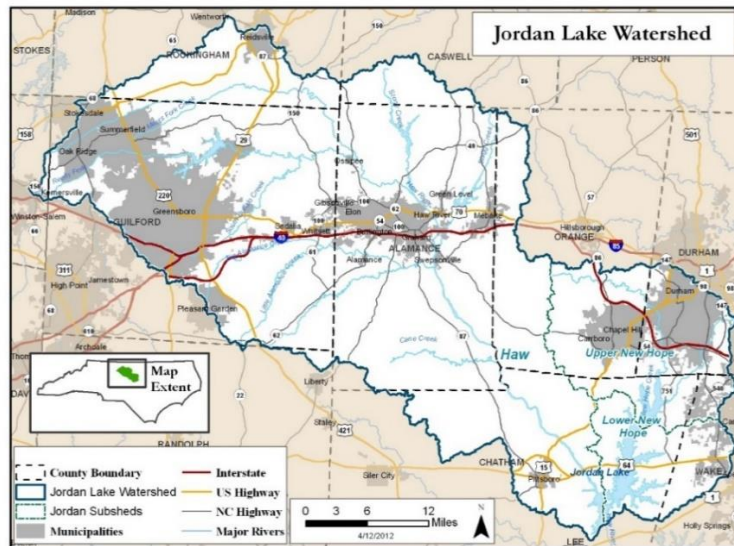
Staff have been reporting on activities to the Stormwater Advisory Commission since October. More than 20 letters have been written to SCM property owners, representing about half of the entire SCM inventory. The response has in general acknowledged an interest in pursuing the maintenance, inspection and reporting being requested. Letters to the remaining owners are planned for the coming weeks.

Fiscal and Staffing Considerations: This activity is requiring a significant amount of staff time.

Additional Information: <http://www.townofcarrboro.org/751/Maintenance-and-Inspection>

¹ [Section 15-263.1 Maintenance of Structural BMPs](#)

7. Jordan Lake Rules Compliance



Regulatory Requirement: The Jordan Lake Rules are a nutrient management strategy designed to restore water quality in the lake by reducing pollution entering the lake. Restoration and protection of the lake is essential because it serves as a water supply for several thriving communities, a prime recreation area for more than a million visitors each year, and an important aquatic ecosystem.

Background: Jordan Lake was impounded in 1983 by damming the Haw River near its confluence with the Deep River. It was created to provide flood control, water supply, fish and wildlife conservation, and recreation. The lake has had water quality issues from the beginning, with the NC Environmental Management Commission declaring it as nutrient-sensitive waters (NSW) the same year it was impounded. Since that time, Jordan Lake has consistently rated as eutrophic or hyper-eutrophic, with excessive levels of nutrients present. The most relevant provisions in the rules for Carrboro relate to stormwater management for both new and existing development, riparian buffers, and fertilizer application.

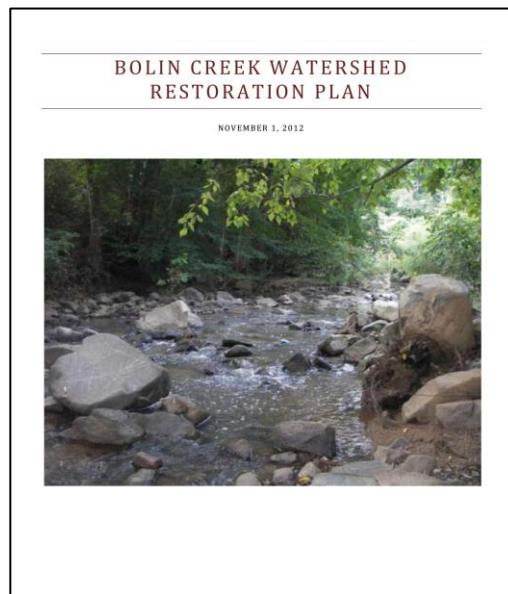
Status: Under Review (State). There was significant Town activity between about 2005 and 2015 to prepare for and enact ordinance provisions and begin work on implementation activities. The State then chose to pursue further studies to guide implementation. Jordan Lake Rules regulatory review has begun now that a NC Policy Collaboratory study has wrapped up. The goals of the rules readoption process is to evaluate the Collaboratory's findings and engage stakeholders throughout the watershed to help develop draft rules. The NC Division of Water Resources (DWR) has contracted with Triangle J Council of Governments (TJCOG) to administer this public participation process.

Fiscal and Staffing Considerations: The Town continues to be required to submit annual reports identifying stormwater retrofits, and has programmed several projects in the CIP. It is preliminary at this point to speculate on the potential fiscal/staff/regulatory impacts that will result, beyond an understanding that some staff time will be required to stay informed and report back as the review is pursued.

Additional Information:

<https://deq.nc.gov/about/divisions/water-resources/water-planning/nonpoint-source-planning/jordan-lake-nutrient>
<https://www.tjocog.org/programs-energy-environment%E2%80%AF-water-resources/jordan-lake-one-water>

8. Bolin Creek Watershed Restoration Plan Implementation



Regulatory Requirement: The downstream extent of Bolin Creek in Carrboro, and continuing into Chapel Hill, is on the state/federal list of impaired waters. Local actions are needed to improve water quality.

Background: Carrboro staff worked with Chapel Hill and other local, state and federal agency staff in 2006 to create the Bolin Creek Watershed Restoration Team (BCWRT) because of the impaired waters listing. At the time, the Bolin Creek watershed was selected as one of only 7 watersheds in the state to receive focused state and federal assistance in preparing grant applications and leveraging other resources to remove Bolin Creek from the impaired waters list. The BCWRT's long term goal is to improve the health of Bolin Creek and its tributaries and remove it from the impaired waters list. This is an ambitious goal that will require a robust commitment for many years to come.

Status: Active. Since 2012, watershed restoration plan implementation has been inactive since 2012 due to insufficient staff capacity and funding resources. **The Town Council approved and the Stormwater Advisory Commission reviewed the submittal of an EPA/NCDEQ 319 grant application with 3 HOAs in the Bolin Forest neighborhood and other partners to address an eroding gulley as a restoration and demonstration project. The application deadline is May, 2021; awards will occur later in 2021. If successful, work would commence in 2022.**

Fiscal and Staffing Considerations: There is a staff impact associated with preparing the application. The application is based on the Town offering an in kind but not cash match for the grant. There would be a staff impact with grant administration.

Additional Information:

<https://townofcarrboro.org/280/Bolin-Creek-Watershed-Restoration>



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Agenda Item Abstract

File Number:21-119

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Economic Development Monthly Report

PURPOSE: Regular Monthly Activities and Status Report

DEPARTMENT: Economic Development

CONTACT INFORMATION: Jon Hartman-Brown - 919-391-7846 - JHartman-Brown@TownofCarrboro.org

INFORMATION:

FISCAL & STAFF IMPACT:

RECOMMENDATION:



Economic Development Department

Monthly Update Report – March 2021

ACTIVITY

- **Attending Bi-Weekly Regional Economic Developers Meeting for COVID-19 Response**

I have been attending weekly meetings with Economic Development staff throughout the region including Chatham County, Orange County, Chapel Hill, UNC, Downtown Chapel Hill, Hillsborough, and Chamber staff. Our discussions recently have focused on the ARPA and how to encourage stimulus spending within Orange County.

- **Attending CBA Marketing, Policy, and Leadership meetings**

I am currently attending CBA Marketing Committee, Policy Committee, and Leadership Council meetings to both understand the role of the CBA and to network with these business owners and find ways the Department can get plugged in. The 203 Project and Downtown Parking have been the center of on-going concerns and discussions with the CBA and their respective committees.

- **Working with Two New Businesses**

I have been working with two potential new businesses on getting started. I am currently working through some business viability work with one and working through the revolving loan process with the other. Both present great opportunities and will meet some of the categorical restaurant demand we have here.

- **Acquiring new Parking Leases begun; Anticipated Completion by end of Q1**

I am in the process of acquiring new parking leases in downtown Carrboro. Primarily I am working with Fitch Lumber and 300 East Main to acquire a total of 132-180 additional parking spaces in Downtown.

- **Project Submission to TJCOG Sandbox Challenge; Project Submission Chosen**

The Economic Development Department submitted a project to the TJCOG Sandbox Challenge call. The submission challenge was determining how to amend policies and incentivize new, inclusive forms of start-up businesses, such as food trucks, pop-up retail markets, pods or micro-retail, and other forms of “missing middle” commercial. Staff found out that the submission was chosen for a concentrated review and study by TJCOG on March 29th.

- **BIPOC Business Update**

A Spanish-language, BIPOC Business Roundtable Discussion is scheduled for April 7th in conjunction with the Chapel Hill/Carrboro Chamber of Commerce and El Centro. The roundtable was held to gain a better understanding of the needs of the Latinx business community.

PROJECTS

- **Minority Business Roundtable – Implementation**

Current Status: Online portion of the Resource Center is under development. Initial meetings with community leaders have been occurring. A Spanish-language Roundtable is scheduled for April 7th.

Next Steps: Development of a resource center (both online and physical locations).

Projected Completion: On-going. We anticipate these activities to continue and become a part of the economic development workflow process. The resource center projected completion is early April.

- **Project Arrange**

We have received feedback that Project Arrange was very appreciate of the Town Manager's offer. The company has paused this project until they can reassess their needs post-COVID-19.

- **Economic Development Strategic Plan – Identifying Strategic Issues and Strategy**

Current Status: Currently working with the ESC to solidify strategic issues and identify strategies for each issue. Joint development and input in occurring with the Comprehensive Plan Taskforce. In order to ensure consistency, staff anticipate working with Teska's identified goals and strategies to further the ESC's work in developing a strategic plan.

Next Steps: Continue to work with the ESC and Teska to identify strategies for each strategic issue at their March meeting.

Projected Completion: June 2020



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PURPOSE: The purpose of this agenda item is for the Council to approve a contract increase for Stantec the consultant firm preparing the capacity analysis, pavement marking plans and signal plans for the East Main Street restriping project, as part of the preparation of a bid packet for completing the work in concert with NCDOT's scheduled resurfacing project.

DEPARTMENT: Planning & Finance departments

CONTACT INFORMATION: Christina Moon, 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Patricia McGuire, 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Cary McNallan, 919-918-7301, cmcnallan@townofcarrboro.org <<mailto:cmcnallan@townofcarrboro.org>>; Arche McAdoo, 919-918-7439, amcadoo@townofcarrboro.org <<mailto:amcadoo@townofcarrboro.org>>.

INFORMATION: At the January 26, 2021 Town Council meeting, the Council received an update on the East Main Street restriping project which included information relating to an increase in project design costs ([Town of Carrboro - Meeting of Town Council on 1/26/2021 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=823936&GUID=D387AE20-BC4A-444C-A4C3-58F350776615&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=823936&GUID=D387AE20-BC4A-444C-A4C3-58F350776615&Options=&Search=>>>). A new project ordinance was provided and approved, but the source of additional funds to cover the project increase was not identified. The purpose of this item is to seek authorization to allocate a portion of the existing bicycle friendly community's budget to pay for the increase.

The East Main Street project is being added to the Town's Capital Improvement Program as a standalone project. Once design work is finalize and the project advertised, staff will bring back a future agenda item to consider selecting a contractor and executing a contact for construction. As noted in the transportation project updates item on April 6th, the implementation of the resurfacing will likely be delayed until the spring/summer of 2022 to allow OWASA time to complete pipe repairs in the East Main Street corridor.

FISCAL & STAFF IMPACT: Total project costs for design services would increase from \$43,500 to \$87,500. Funds from the Bicycle Friendly Community's budget would be reallocated to East Main Street project cover the delta.

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Staff recommends that the Town Council consider the resolution provided (*Attachment A*) increasing the contract amount for Stantec from \$43,500 to \$87,500.

EAST MAIN STREET REDESIGN PROJECT ORDINANCE AMENDMENT
ORDINANCE NO. _____

WHEREAS, the Town Council has instructed staff to proceed with additional services for pavement markings and bikeway safety along the East Main Street corridor; and,

WHEREAS, the additional services for final pavement marking design and signal timing plans and traffic signal design is estimated to cost of \$44,000.00

WHEREAS, the Town has appropriated \$43,500 for this project and additional monies are necessary for contractor to proceed with these services; and,

WHEREAS, the contract with Stantec Consulting Services needs to be increased.

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

1. Funding for the East Main Street Corridor project is increased by \$44,000 for a total project cost of \$87,500.
2. Contract with Stantec Consulting Services be amended for additional services at a cost no more than \$44,000; thereby increasing total amount of contract to \$87,500.
3. Total funding for this project is appropriated from the Bicycle Friendly Community Program in the Planning Department's operating budget.
4. The funding in Section 1 above is authorized until all project activity is completed.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

This is the _____ day of April, 2021.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:21-120

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Resolution Returning Unused Emergency COVID-19 Funds to the CTDA

PURPOSE: This Resolution will return un-loaned funds used to supplement the Emergency COVID-19 Business Loan program back to the CTDA.

DEPARTMENT: Economic Development

CONTACT INFORMATION: Jon Hartman-Brown - 919-391-7846 - Jhartman-Brown@TownofCarrboro.org

INFORMATION: The Tourism Development Authority's (TDA) budget has been severely impacted by the COVID-19 pandemic due to the dramatic decrease in travel and hotel stays. The TDA has originally transferred \$175,000 to the Town to be used as Emergency COVID-19 Pandemic Business Loans. While a substantial portion of the original funds have been loaned, there remains \$65,596 of un-loaned funds sitting in the Town's account. The TDA, due to their severe decrease in revenue, is requesting these un-loaned funds be returned to the TDA to help balance their budget for this fiscal year and continue the tourism efforts for the Town.

FISCAL & STAFF IMPACT: Fiscal impacts include decreasing the current loan fund by \$65,596.

RECOMMENDATION: Staff recommend approval of the resolution and transfer of the funds back to the TDA.



Carrboro Tourism Development Authority

301 W Main Street
Carrboro, NC 27510
(919) 918-7319 • VisitCarrboro.com

April 14, 2021

Carrboro Town Council
301 W. Main St.
Carrboro, NC 27510

Dear Town Council,

On behalf of the Carrboro Tourism Development Authority (CTDA), it has come to our attention that approximately \$65,596 of the original \$179,000 that we gave to the Town for Emergency COVID-19 Business Loans remains un-loaned. As you are aware, COVID-19 has struck the hospitality industry very hard, which has resulted in a dramatic decrease in the revenue of the CTDA. We therefore respectfully requests that these un-loaned funds be returned to the CTDA as soon as possible. These funds will be used to promote tourism and local businesses working to bring back business and economic vitality to our community. Tourism funds help promote restaurants, hospitality and the arts—three industries that have been significantly impacted by the pandemic. You will find a copy of the resolution approved by the CTDA attached. The return of these funds will help in balancing our budget for this fiscal year and allow us to continue to promote the Town through advertising and program and festival support to our visitors.

Please feel free to contact me if you have any questions or concerns and thank you for your consideration.

Sincerely,

Donald Strickland
Chair, Carrboro Tourism Development Authority

Attachment

ATTACHMENT A

A RESOLUTION TO RETURN UNUSED COVID-19 EMERGENCY LOAN AND GRANT FUNDS TO CARRBORO TOURISM DEVELOPMENT AUTHORITY

WHEREAS, the Carrboro Tourism Development Authority (CTDA) previously provided \$175,000 to the Town of Carrboro to help support the COVID-19 Emergency Loan and Grant Fund to provide assistance to local businesses; and

WHEREAS, the COVID-19 Emergency Loan and Grant Fund was established as a Special Revenue Fund; and,

WHEREAS, the Town has used \$109,404 of the CTDA funds; and,

WHEREAS, there is an unused balance of \$65,596 of CDTA funds remaining in the COVID-19 Emergency Loan and Grant Fund; and

WHEREAS, income to the CTDA during the pandemic has been reduced significantly due to decrease in Occupancy Tax Revenue collections by the Town; and,

WHEREAS, the CTDA has a need for additional revenue and requested that any unused contribution for COVID-19 Emergency Loan and Grant Fund be returned.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Carrboro that:

1. Any unused CTDA funds contributed to the COVID-19 Emergency Loan and Grant Fund be returned to the CTDA.
2. The Finance Officer for the Town is authorized to return \$65,596 of Special Revenue Funds to the CTDA.
3. The Finance Officer shall amend the Special Revenue Fund budget and Town financial records as appropriate.
4. This resolution is effective immediately.

A copy of this resolution shall be provided to the Finance Officer within three (3) days.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:21-122

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Annual Update from OWASA Representatives

PURPOSE: The purpose of this item is to receive an annual update from the Town's appointees on the OWASA Board of Directors.

DEPARTMENT: N/A

CONTACT INFORMATION: N/A

INFORMATION: Robert Morgan and Yinka Ayankoya will be at the meeting to provide an update to the Board of Aldermen. In addition, the Board of Aldermen will receive updates from OWASA staff members Mary Tiger and Todd Taylor on the Agua Vista Web Portal and System Resiliency, respectively. Information is attached for review.

FISCAL & STAFF IMPACT:

RECOMMENDATION:



Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

April 15, 2021

Mayor Pam Hemminger
Town of Chapel Hill
405 Martin Luther King Jr.
Blvd Chapel Hill, NC 27514

Mayor Lydia Lavelle
Town of Carrboro
301 West Main Street
Carrboro, NC 27510

Chair Renee Price
Orange County Board of
Commissioners
Post Office Box 8181
Hillsborough, NC 27278

Dear Mayor Hemminger, Mayor Lavelle, and Chair Price:

We are pleased to submit this report on our services, projects, and initiatives since January 2021. This report includes information on the following items:

1. Moratorium on Service Disconnections Extended
2. Fiscal Year 2022 Budget
3. COVID-19 Response
4. Long-Range Water Supply Plan
5. Guidance on Reopening Facilities
6. Lake Recreation
7. OWASA Begins the Development of a New Strategic Plan
8. New Director of Engineering and Planning
9. Energy Management/Solar PV
10. Upcoming Board Appointments
11. Key Infrastructure Investments
12. 2020 Wastewater Report Card Published

Moratorium on Service Disconnections Extended:

Orange County extended its local State of Emergency related to the ongoing COVID-19 pandemic through June 30, 2021. Using the local State of Emergency as guidance, OWASA has deferred resuming standard bill collection practices for residential customers for another three months. OWASA has committed to giving a 30-day notice to customers with past-due balances before resuming standard collection practices.

Under standard collection practices, customers who miss two consecutive payments of their monthly bill risk service disconnection. OWASA will offer payment plans of up to 18 months to customers who are past due once we resume standard collection practices.

OWASA has been tracking and communicating with customers who are past due on their accounts and encouraging them to seek assistance from various resources to pay down any balances, including OWASA's Care to Share bill-assistance program. These various funding resources have also been updated on OWASA's website throughout the pandemic, including the Orange County Housing Helpline when funding has been available.



We are grateful to our partners across the county for the continued work on providing available assistance to customers.

Fiscal Year 2022 Budget:

OWASA is preparing the Fiscal Year 2022 (FY 2022) Budget recommendation for the Board of Directors' consideration.

As more of the population is vaccinated against COVID-19 and UNC and local schools are planning to hold in-person classes in the fall, we are now anticipating that water demand for FY 2022 is likely to return to pre-pandemic levels.

The OWASA Board of Directors approved a budget for Fiscal Year 2021 that did not include a rate increase as the financial uncertainty of the COVID-19 pandemic was beginning to impact our community. In order to achieve a budget with no rate increase, items including employee raises and some capital projects were deferred to subsequent budget years.

Current estimates project the need for a 5% rate increase to continue investments in our critical infrastructure to increase reliability and resiliency of our water distribution and wastewater collection systems. A 5% rate increase would raise the average monthly bill for a residential customer using 4,000 gallons per month by \$3.79 to \$79.46. The Board of Directors will not decide on a budget and rate increase until its meeting on June 10, 2021.

Public hearings on the recommended budget and rates will be held on May 27, 2021. The OWASA Board of Directors will approve a budget in June 2021. Any rate and fee adjustments would go into effect in October 2021.

COVID-19 Response:

OWASA still has in place many of the actions initially put into effect at the onset of the pandemic to help mitigate the spread of the virus while also continuing to provide our essential service to the community. These include the continuation of the temporary moratorium on service disconnections for non-payment and that OWASA employees who are able have continued to work remotely.

As more of OWASA's staff has received the COVID-19 vaccine, we are looking ahead to steps to safely bring other staff members back into the office. We anticipate more staff beginning to work in the office at least part-time beginning in mid-May. We do not anticipate opening any OWASA facilities to the public at that time as we ensure proper safety measures remain in place.

OWASA did open the 2021 Lake Recreation season in late March to a limited number of visitors with safety guidelines in place. Additional lake recreation information is provided in a separate bulleted item.

OWASA's on-site essential workers are continuing to follow COVID-19 safety guidelines, including wearing of masks, maintaining distance, and washing hands frequently.

The OWASA Board of Directors will continue meeting remotely while the county's State of Emergency remains in place.

Long-Range Water Supply Plan:

OWASA is in the process of updating the community's Long-Range Water Supply Plan.

We completed our initial round of soliciting community feedback earlier this year. These community engagement efforts included interviews with local media, a webinar for interested members of the public, and presentations to elected Boards of each local governing jurisdiction (Carrboro, Chapel Hill, and Orange County).

The community feedback was brought to the OWASA Board of Directors on March 11, 2021. The Board asked staff to move forward with developing guiding principles to use in evaluating final alternatives. The Board thanked the individuals who provided comments as well as each of the local elected Boards for the feedback provided to this point.

The work to date on the Long-Range Water Supply Plan indicates that OWASA has enough water for the next few decades. However, we are vulnerable during extended or back-to-back droughts.

OWASA will solicit additional community feedback after the Board of Directors selects a draft preferred alternative.

Guidance on Reopening Facilities:

OWASA has continued working with customers – specifically larger facilities and institutions – throughout the pandemic to ensure that property managers are taking appropriate steps to ensure water quality before reopening their facilities.

Treated drinking water being allowed to sit in pipes for extended periods of time is more susceptible to allowing microorganisms to grow. After initially publishing information about steps to take in reopening facilities in April 2020, additional messaging has been shared with larger facilities over the course of the pandemic.

Specifically, OWASA staff has been working with Chapel Hill – Carrboro City Schools officials on building-management plans for water quality in school facilities as students returned to the classroom after months of remote learning. Currently, CHCCS is requesting that students bring water, as well as distributing water bottles, until they are assured by water quality tests that the water is safe to consume.

Lake Recreation:

OWASA opened Cane Creek Reservoir and University Lake for the 2021 recreation season on Saturday, March 27, 2021.

Health and safety measures implemented last year to help protect visitors and OWASA staff remain in place as of now for the 2021 season. There has been a high demand over the opening

weeks of the recreation season, and we will continue monitoring these conditions to provide the opportunity for recreation while also following appropriate safety measures.

If any changes are made during the 2021 season to our recreation guidelines, they will be updated on the [Recreation page of the OWASA website](#).

OWASA Begins the Development of a New Strategic Plan:

OWASA is beginning the process of developing a new strategic plan. An updated strategic plan is needed to ensure that we are anticipating and preparing for the future that we want and setting a course for aligning scarce resources with our strategic goals and objectives.

The horizon for the strategic plan will be five to six years. The strategic planning process will involve and engage the Board, staff, the community, and other stakeholders. We will actively seek feedback to include and consider diverse perspectives. OWASA's current Strategic Plan was adopted in 2014 and has been periodically reviewed and updated since then.

New Director of Engineering and Planning:

Orange Water and Sewer Authority is excited to announce that Vishnu Gangadharan has been selected as the next Director of Engineering and Planning following a nationwide search.

Gangadharan has most recently served as OWASA's Engineering Manager - Capital Projects in the Engineering and Planning Department and has worked for OWASA in various capacities over the last 15 years. He is succeeding Mary Darr in the role after Darr was named OWASA's General Manager of Operations in November 2020.

In this role, Gangadharan is responsible for overseeing OWASA's engineering and planning programs, including working with third-party developers in the community as well as OWASA's resiliency projects.

Gangadharan's first day as Director of Engineering and Planning was March 10, 2021.

Energy Management/Solar PV:

OWASA is excited to announce that additional solar photovoltaic (PV) systems will soon be in-service at OWASA facilities.

A solar PV system is now operating on OWASA-owned land on Berry Andrews Road to help offset energy needs for equipment on the site; within weeks, two rooftop systems on buildings at OWASA's main campus on Jones Ferry Road will be connected. These systems will increase OWASA's use of renewable energy and work toward our overall goals of reduction in our purchased electricity.

Collectively, these solar PV systems will generate almost 428,000 kWh of clean energy every year (equivalent to the energy use of over 40 homes). Through a lease agreement with private partners and rebates from Duke Energy, we are able to install these systems for no additional

cost to OWASA customers in Year 1. In future years, we project to spend less on lease payments than we save on our energy bill.

OWASA was also honored to be a recipient of funding from the Orange County Climate Action Grant Program for an additional solar PV system at Cane Creek Reservoir to lessen the purchased electricity needed to power infrastructure that pumps raw water from the reservoir to the Jones Ferry Road Water Treatment Plant.

Key Infrastructure Investments:

OWASA has made progress on several critical infrastructure projects since January 2021.

An OWASA contractor began work in late March to replace the water line on Bolinwood Drive at the bridge over Bolin Creek. The water line in this area was damaged in previous flooding during Hurricane Florence. OWASA has worked with FEMA to move forward with this work and coordinated our efforts with the Town of Chapel Hill staff as the work is taking place at a crossing for the Bolin Creek Trail.

Projects totaling a roughly \$6 million investment to improve drinking water distribution and treatment facilities at the Jones Ferry Road Water Treatment Plant (WTP) are ongoing. To date, the work has focused on improvements within the WTP. As work progresses, water line improvements will take place directly in front of the WTP to build in additional redundancy and resiliency to support the community's water infrastructure and maintain a high level of service for our customers.

Upcoming Board Appointments:

OWASA will have openings on its Board of Directors this year to be appointed by each local jurisdiction - Carrboro, Chapel Hill, and Orange County. In addition to vacancies associated with terms coming to an end, this summer OWASA will have two vacancies as members appointed by the Town of Chapel Hill have stepped down from the Board.

Recruitment for Board applications is ongoing. We are committed to promoting Board membership in our community engagement efforts and appreciate your assistance in attracting a diverse applicant pool. We have posted information to the OWASA website to provide more information on what is involved with Board membership and participation and shared calls on social media for prospective members to submit an application with the appointing jurisdictions.

OWASA embraces diversity and inclusion in everything we do, and we would like to encourage all interested candidates to apply for Board Member appointments. Our Board addresses a wide range of issues. The only true qualification needed is a genuine commitment to serve the community.

Thank you for your continued support in appointing members to OWASA's Board of Directors. If we can assist you, please let us know.

2020 Wastewater Report Card Published:

Orange Water and Sewer Authority treats roughly 7.5 million gallons of the community's wastewater every day; that translates to roughly 3 billion gallons per year. OWASA's annual wastewater report card shows that for the 2020 calendar year we met or surpassed all State and Federal wastewater regulations.

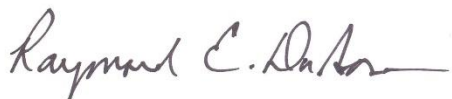
The community's infrastructure consists of roughly 350 miles of pipes bringing wastewater to the Mason Farm Wastewater Treatment Plant, where OWASA treats the wastewater before it is discharged into Morgan Creek and eventually makes its way to Jordan Lake or is used as reclaimed water. The majority of the reclaimed water is pumped back to UNC's campus for non-drinking purposes.

Maintaining the community's wastewater infrastructure is a major priority for OWASA. Roughly half of every dollar OWASA receives through rates and fees is put back into the system. These investments help maintain the system's reliability and resiliency, while also improving how efficiently we can operate.

You can view the [2020 wastewater report card on our website](#).

We would be happy to provide you more detailed information on the items above or other topics of interest as desired. Please feel free to contact our Executive Director, Todd Taylor (ttaylor@owasa.org or 919-537-4216), or me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Raymond E. DuBose".

Raymond E. DuBose, P.E., Chair
OWASA Board of Directors

cc: Mr. David Andrews, Carrboro Town Manager
Ms. Bonnie Hammersley, Orange County Manager
Mr. Maurice Jones, Chapel Hill Town Manager
OWASA Board of Directors
Todd Taylor, OWASA Executive Director



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:21-123

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

A Resolution Establishing a Community Safety Task Force

PURPOSE: The purpose of this item is for the Town Council to consider establishing a Community Safety Task Force and approving a charge for the task force.

DEPARTMENT: Town Council

CONTACT INFORMATION: Council Member Seils

INFORMATION: In a resolution approved on June 18, 2020, the Town Council expressed its intent “to establish a task force on public safety, in the interest of developing new approaches to public safety beyond policing.” Over the following months, Council Members Seils, Haven-O'Donnell, and Slade worked together to discuss a potential structure for the task force and to draft a charge. The attached resolution would establish the task force and its charge.

FISCAL & STAFF IMPACT: There is no fiscal or staff impact associated with this agenda item.

RECOMMENDATION: It is recommended that the Town Council discuss and consider the attached resolution.

A RESOLUTION ESTABLISHING A COMMUNITY SAFETY TASK FORCE

WHEREAS, on June 18, 2020, the Town Council approved “A Resolution on Next Steps in Advancing Racial Equity in Law Enforcement and Public Safety in Carrboro”; and

WHEREAS, Section 5 of that resolution expressed the Town Council’s intent “to establish a task force on public safety, in the interest of developing new approaches to public safety beyond policing”; and recognized that “investments in public safety and in programs and services that keep communities healthy and safe must advance racial equity, be grounded in community demands, and be informed by authentic engagement with grassroots and community organizations”; and

WHEREAS, Council Members Seils, Haven-O’Donnell, and Slade worked together to draft a charge for the task force;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby establishes a “Community Safety Task Force” with the following charge:

Section 1. Background: In a resolution on June 18, 2020, the Town Council expressed its intent to establish a task force on public safety, “in the interest of developing new approaches to public safety beyond policing.” The Town Council recognized that “investments in public safety and in programs and services that keep communities healthy and safe must advance racial equity, be grounded in community demands, and be informed by authentic engagement with grassroots and community organizations.”

Section 2. Purpose: The Community Safety Task Force will consider a range of issues related to the safety and well-being of Carrboro residents, including but not limited to law enforcement and court diversion and deflection programs; alternatives to relying on the Town’s public safety professionals for human service and wellness needs; and coordination with the County and other jurisdictions to enhance programs and services that keep communities safe.

Through a series of shared learning sessions, the task force will review and educate the public about existing institutional and community-based public safety and wellness resources; and learn from residents and experts about immediate and long-term safety needs and interests that can be more substantially addressed and met through alternative resources.

The task force will provide recommendations to the Town Council for additional services to enhance community safety and well-being that rely on prevention and intervention strategies as alternatives to policing and the criminal legal system—including but not limited to community nonviolence and de-escalation training programs; domestic violence intervention and prevention; youth-oriented programs; on-call crisis response that would allow certain calls for police assistance to be handled by other trained professionals, such as social workers or crisis counselors; and other related approaches.

Section 3. Structure: The membership of the task force shall consist of 5 to 7 residents of Carrboro, appointed by the Town Council, who have professional expertise and/or lived

experience in the criminal legal system, human services delivery, social work, public health and harm reduction, community building in marginalized populations, or related content areas. The membership of the task force shall also include 2 to 3 council members designated by the Town Council.

A staff resource team will assist in the work of the task force. This team will consist of staff liaisons, designated by the town manager, from the Housing and Community Development Department, the Police Department, the Recreation, Parks & Cultural Resources Department, and/or other staff as determined by the manager.

Section 4. Timeline: Within 12 months after the initial appointment of its members, the task force shall submit its recommendations to the Town Council. Alternatively, if the task force determines that it needs more time to complete its work, the task force may extend its timeline up to six months and shall notify the Town Council of the extension.

This the 20th day of April, 2021.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:21-117

Agenda Date: 4/20/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request-to-Set a Public Hearing on Text Amendments to Establish Requirements for EV Charging Stations

PURPOSE: The Land Use Ordinance provides an opportunity for advisory boards to initiate the consideration of a text amendment for public benefit. In 2018, the Environmental Advisory Board prepared a memorandum requesting requirements for electric vehicle charging stations as part of the parking standards for new developments. A draft ordinance has been prepared. Text amendments are legislative decisions; the Town Council must receive public input prior to making a decision.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Marty Roupe - 919-918-7333, mroupe@townofcarrboro.org <<mailto:mroupe@townofcarrboro.org>>; Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Nick Herman - 919-929-3905, gnherman@broughlawfirm.com <<mailto:gnherman@broughlawfirm.com>>

INFORMATION: Information provided to the Town Council during the January 21, 2020 Energy and Climate Protection Plan and Community Climate Action Plan Implementation Update included a request from the EAB to consider text amendments to the Land Use Ordinance that would require the installation of electric charging stations for development proposals with 50 or more parking spaces or, at least, to require the installation of the necessary infrastructure for future charging stations. Meeting materials may be found at [Town of Carrboro - Meeting of Town Council on 1/21/2020 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=756145&GUID=BC30002D-A15F-4571-BDA0-9E8D0F1FD085&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=756145&GUID=BC30002D-A15F-4571-BDA0-9E8D0F1FD085&Options=&Search=>>>; a copy of the EAB's request is also provided (*Attachment C*).

A draft ordinance has been prepared that closely follows the EAB's request. As currently written, EV parking spaces would be a subset of the existing parking standards not a requirement for additional parking spaces (*Attachment B*). A copy of Article XVIII of the Land Use Ordinance, Parking, is attached for information (*Attachment D*).

On a related note, staff has become aware of House Bill 296, a North Carolina bill currently under consideration which would allow local governments to enforce the prohibition of parking non electric cars in spaces equipped with EV charging infrastructure. A copy of the draft bill is provided as *Attachment E*;

Agenda Date: 4/20/2021

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Version: 1

additional information may be found at the following link: ([House Bill 296 \(2021-2022 Session\) - North Carolina General Assembly \(ncleg.gov\)](https://www.ncleg.gov/BillLookup/2021/H296) <<https://www.ncleg.gov/BillLookup/2021/H296>>.

FISCAL & STAFF IMPACT: Public notice costs and staff time are associated with the review of text amendments for public hearings and advisory board review.

RECOMMENDATION: Staff recommends that the Town Council consider adopting the attached resolution (*Attachment A*) setting a public hearing for May18th and referring the item to Orange County and the Planning Board. The Environmental Advisory Board and Transportation Advisory Board have been identified for referral based on their respective purviews.

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH REQUIREMENTS FOR ELECTRIC CHARGING STATIONS

WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED that the Town Council sets a public hearing on May 18, 2021, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Establish Requirements for Electric Vehicle Charging Stations.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following Town of Carrboro advisory boards and commissions.

☐

Appearance Commission

☐

Recreation and Parks Commission

☒

Transportation Advisory Board

☐

Northern Transition Area Advisory Committee

☒

Environmental Advisory Board

☐

Affordable Housing Advisory Commission

☐

Economic Sustainability Commission

☐

This is the 20th day of April in the year 2021.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH
REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS

****DRAFT 04-16-2021****

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Article XVIII, Section 15-290, Definitions, is amended to add three new definitions, “electric vehicle ready requirements,” “electric vehicle charging station,” “green vehicle,” as listed below, and to renumber the subsequent definitions in alphabetical order.

(3) **ELECTRIC VEHICLE READY.** Includes the installation of dedicated electric circuit and underground conduit required to run electricity to one or more EV charging parking spaces.

(4) **ELECTRIC VEHICLE CHARGING STATION (EV Charging Station).** Equipment that connects an electric vehicle to a source of electricity to recharge electric cars and plug-in hybrids. Also known as electric vehicle supply equipment (EVSE). EV charging stations are classified into three levels based on charging speeds:

Level 1 – Level 1 Chargers use a 120 volt, alternating-current (AC) plug and require a dedicated circuit offering about five miles of range for everyone defined by the speed with which they provide a charge.

Level 2 – Level 2 Chargers use a 240 volt, alternating-current (AC) plug provide 10 to 20 miles of range for every hour of charging.

Level 3 – Level 3 Chargers use a 480 volt, direct-current (DC) plug, bypassing the onboard charger and providing DC electricity to the battery via a special charging port. Also known as fast chargers, Level 3 chargers provide up to 40 miles of range for every 10 minutes of charging.

(5) **GREEN VEHICLE.** A vehicle designed to operate on fuels other than gasoline or diesel for reduced emissions. Examples of alternative fueled vehicles include those that run on electricity (electric or plug-in hybrid), compressed natural gas (CNG) or E85 (a mixture of about 85% ethanol and 15% gasoline).

Section 2. Section 15-291 is amended to by establishing a new subsection (i) read as follows:

(i) Uses in the Table of Parking Requirements [subsection (g)], are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 15-146. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be discarded, while a fraction in excess of one-half shall be counted as one parking space.

(1) Requirement for EV charging stations.

- a. In parking lots where the number of parking spaces required by subsection (g) is greater than 50 spaces, EV charging stations shall be installed in at least 3 percent of the spaces, with a minimum of two spaces.
- b. EV charging stations must be separate from and in addition to preferred parking spaces for green vehicles.
- c. At least one EV charging station shall be installed in a parking space that is ADA compliant.
- d. EV charging stations shall provide Level 2 charging capacity or greater.
- e. EV charging stations shall meet the standards for electrical connectors: SAE Surface Vehicle Recommended Practice J1772 or SAE Electric Vehicle Conductive Charge Coupler for compatibility with all types of chargers.
- f. Each EV charging station shall be provided with signage listing the voltage and amperage levels, the available times of use, information relating to fees and/or other safety information. Signage and pavement markings shall comply with MUTCD standards.
- g. Informational signage to guide motorists to the charging stations and/or other signage including website links and/or QR codes for information on energy, greenhouse gas emissions, or related data may be installed so long as the height or placement does not interfere with circulation or sight distances within the parking area or the entrance/exit of the parking facility.

(2) Requirement for EV Ready charging stations.

- a. At least 20 percent of the total number of parking spaces required by subsection (g) shall be made EV Ready.
- b. Electrical panels labeled “EV Ready” shall be provided at each parking space.

Section 3. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 4 This ordinance is effective upon adoption.

To: Patricia McGuire, Carrboro Planning Director

Subject: Petition to add Electric Vehicle Ready Requirements to the LUMO

Meeting Date: December 13, 2018

Recommendation: The Environmental Advisory Board (EAB) petitions the Board of Alderman to start a process to amend the Land Use Ordinance (LUO) to add Electric Vehicle Readiness requirements. The EAB has researched and developed the text below for new developments:

Whereas, the Town of Chapel Hill Transportation Advisory Board with concurrence from the Chapel Hill Environmental Stewardship Board petitioned the Chapel Hill Town Council to consider modifying the LUMO to include provisions for, under certain circumstances, either installation of a minimum number of operating EV-capable parking spaces or a minimum number of parking spaces pre-wired to facilitate upgrade to full EV-capability in the future;

Whereas, both of the Town of Carrboro and Town of Chapel Hill are leaders in environmental protection and carbon reduction efforts;

Whereas, both of the Town of Carrboro and Town of Chapel Hill have similar environmental goals;

Whereas, many other governmental entities have adopted similar regulations (See references);

Whereas, many building and trades organization have drafted guidelines for implementing EV readiness (See references);

Whereas, Vision 2020, dated December 5, 2000 outlines Town goals to mitigate climate change, lower carbon emissions and increase energy efficiency that align with this proposal, namely

- **5.50 Energy**

- **5.51** The town should publicly promote every available means of energy conservation.

- The town's own alternative and renewable energy targets should include passive and active solar, and composted waste co-generation to fuel public vehicles and the heating of town facilities

- **5.52** The town should set a goal of reduced energy costs in all town buildings and increased fleet mileage for all town vehicles.

Whereas, the Town of Carrboro adopted the **Community Climate Action Plan**, Dated January 24, 2017 with various provisions that align with this proposal, namely,

- **Transportation Recommendation #1: 50% Challenge (Page 28)**, Reduce Greenhouse Gas Emissions from Motor Vehicle Use by 50% by 2025.
- **Carbon Free in 10 Years**, Page 76, Year 5 – Purchase an Electric car.

Whereas, the EAB has been recommending the following provisions in many SUP/CUP/rezoning reviews for almost a year with generally positive feedback from applicants,

Whereas, recommendations from the EAB are not legally enforceable,

Whereas, the EAB passed a motion to forward the proposal to Town government on December 13, 2018,

Therefore resolved, The EAB requests the following provisions be added to the Town of Carrboro LUO.

EV Ready Requirementsⁱ

These requirements apply to new or expanded parking lots and parking structures and developments which require a CUP or SUP or rezoning. They are not required retroactively for existing parking lots.

1. In parking lots with more than 50 spaces, EV charging stations installed in at least 3% of all parking spaces used by the project.
 - Minimum of two EV charging station parking spaces for each project. At least one of which must be ADA compliant, per NCDOT's guidelines.
 - Provide a Level 2 charging capacity (208 – 240 volts) or greater
 - Comply with the relevant regional or local standard for electrical connectors, such as SAE Surface Vehicle Recommended Practice J1772, SAE Electric Vehicle Conductive Charge Coupler so that they are compatible with all types of chargers
 - EV charging station spaces must be separate from and in addition to preferred parking spaces for green vehicles
2. Signage for parking of electric vehicles shall include:
 - Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.
 - As appropriate, directional signs to effectively guide motorists to the charging station space(s).
 - Station(s) reserved for electric vehicles
 - QR code linking to Town website for greenhouse gas emissions generation information
3. 20% of all total parking spaces will be made "EV Ready" for charging stations, meaning:
 - Installation of dedicated electrical circuit and underground conduit required to run electricity to EV charging spot
 - Electrical panels labeled "EV Ready"

SUMMARY OF ENVIRONMENTAL ADVISORY BOARD ACTION

Vote: Motion O'Connor, Second Sinclair

Ayes: Sinclair, Turner, O'Connor

Nays: 0

ⁱReferences

- <https://www.chargepoint.com/blog/contractors-guide-ev-ready-building-codes/>
- <http://www.transportationandclimate.org/ev-ready-codes-built-environment>
- <https://www.usgbc.org/credits/new-construction-core-and-shell-schools-new-construction-retail-new-construction-healthca-25>
- http://www.b3mn.org/guidelines2-2/s_12.html
- Full Electric Vehicle Ordinance Text
<http://www.codepublishing.com/WA/MountlakeTerrace/html/MountlakeTerrace19/MountlakeTerrace19126.html#19.126.070>
- Siting and Design Guidelines for Electric Vehicle Supply Equipment
http://www.transportationandclimate.org/sites/default/files/EV_Siting_and_Design_Guidelines.pdf
- <http://files.masscec.com/research/WatertownCleanEnergyRoadmap.pdf>
- <http://www.theenergycollective.com/greatplainsinstitute/2417956/making-city-ev-ready>
- Reducing Barriers to Electric Vehicle Adoption through Building Codes
<https://aceee.org/files/proceedings/2012/data/papers/0193-000012.pdf>
- Page 90 <https://www.ladbs.org/docs/default-source/publications/misc-publications/2010ca-green-building-standards-code.pdf?sfvrsn=11>
- Creating EV-Ready Towns and Cities: A Guide to Planning and Policy Tools
http://www.transportationandclimate.org/sites/default/files/EVSE_Planning_and_Policy_Tool_Guide.pdf
- City of Palo Alto - EV Code
<https://www.cityofpaloalto.org/civicax/filebank/documents/42838>
- Carrboro [Climate Action Plan](#)
<https://www.townofcarrboro.org/DocumentCenter/View/4116/Community-Climate-Action-Plan>
- [Carrboro Vision 2020](#) <http://www.townofcarrboro.org/785/carrboro-vision-2020>

ARTICLE XVIII

PARKING

Section 15-290 Definitions.

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this section.

- (1) **CIRCULATION AREA.** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.
- (2) **DRIVEWAY.** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.
- (3) **GROSS FLOOR AREA.** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.
- (4) **LOADING AND UNLOADING AREA.** That portion of the vehicle accommodation area used to satisfy the requirements of Section 15-300.
- (5) **PARKING AREA AISLES.** That portion of the vehicle accommodation area consisting of lanes providing access to parking spaces. **(AMENDED 2/4/86)**
- (6) **PARKING SPACE.** A portion of the vehicle accommodation area set for the parking of one vehicle.
- (7) **VEHICLE ACCOMMODATION AREA.** That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.
- (8) **VEHICLE STORAGE AREA.** That portion of a vehicle accommodation area used in connection with a 9.200 or 9.400 classification use as a place to park vehicles temporarily while they are waiting to be worked on or pending the pick-up of such vehicles by their owners.

Section 15-291 Number of Parking Spaces Required.

(a) Subject to Section 15-292.1, all developments shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. In addition, all 9.200 and 9.400 classification uses shall provide sufficient vehicle storage area to accommodate the number of vehicles likely to be on the premises awaiting work or pending removal of their owners. **(AMENDED 2/4/86; 5/18/04)**

(b) The presumptions established by this article are that: (i) a development must comply with the parking standards set forth in subsection (g) to satisfy the requirement stated in subsection (a), and (ii) any development that does meet these standards is in compliance. However, the Table of Parking Standards is only intended to establish a presumption and should be flexibly administered, as provided in Section 15-292.

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(c) Uses in the Table of Parking Requirements [subsection (g)], are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 15-146. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

(d) With respect to any parking lot that is required to be paved (see Section 15-296): **(AMENDED 9/13/83)**

- (1) The number of parking spaces required by this article may be reduced by a total of one space if the developer provides a bikerack or similar device that offers a secure parking area for at least five bicycles.
- (2) In non-residential districts, the number of parking spaces required by this article may be reduced by one space for each motorcycle pad provided, up to a total of five percent of the required number of spaces.

(e) Whenever a building is constructed with the intention that it be used in whole or in part for use classification 2.120, 2.220, 2.320, 3.120, or 3.220, the building shall be constructed on the lot in such a manner that sufficient usable space remains on the lot to add the additional parking spaces that would be required to convert the use of the building entirely to use classification 2.110, 2.210, 2.310, 3.110, or 3.210. In addition, whenever a developer proposes to construct a building to be used for purposes that require a lesser number of parking spaces than other uses to which the building might well be put at some future date, the administrator shall send to the developer a certified letter explaining that sufficient space should be left on the lot to add parking spaces at a later time if required. **(AMENDED 2/4/86)**

(f) The Board recognizes that the Table of Parking Requirements set forth in subsection (g) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit-issuing authority is authorized to determine the parking requirements using this table as a guide. In addition, the Board of Aldermen may authorize a reduction of up to 25 percent in the parking requirement when approving a Village Mixed Use Master Plan or Conditional Use Permit or an Office/Assembly development Conditional Use Permit. Land necessary to meet the full, presumptive, parking requirement must be identified during the plan approval process and must be reserved should the need for additional parking arise in the future. **(AMENDED 05/25/99)**

(g) Table of Parking Requirements **(AMENDED 11/28/06)**

PART I.	
USE	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)
1.100	2 spaces per dwelling unit plus one space per room rented out in each dwelling unit (see Accessory Uses, Section 15-150). These required spaces shall be in addition to any space provided within an enclosed or partially enclosed garage. (AMENDED 2/24/84; 08/27/96)

<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
1.200	2 spaces for each dwelling unit, except that one bedroom units require only one space.
1.300	With respect to multi-family units located in buildings where each dwelling unit has an entrance and living space on the ground floor, the requirement shall be 1½ spaces for each one bedroom unit and 2 spaces for each unit with two or more bedrooms. Multi-family units limited to persons of low- or moderate-income or the elderly require only 1 space per unit. All other multi-family units require 1 space for each bedroom in each unit plus 1 additional space for every four units in the development. (AMENDED 5/10/83)
1.340	1 space per every four dwelling units. (AMENDED 01/11/00)
1.350	2 spaces for each dwelling unit, except that one bedroom units require only one space. (AMENDED 10/22/19)
1.410 1.420	1 space for each bedroom.
1.430	1 space for each room to be rented.
1.510	1 space per room plus additional spaces for restaurant or other facilities. (AMENDED 11/28/06)
1.61 1.62 1.63	3 spaces for every five beds except for uses exclusively servicing children under 16, in which case 1 space for every 3 beds shall be required.
1.900	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others.
1.910	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others, plus one space for each non-resident employee. (AMENDED 10/22/19)
2.110	1 space per 200 square feet of gross floor area.
2.120 2.130	1 space per 400 square feet of gross floor area.
2.140	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window. (AMENDED 2/4/86)
2.150	1 space per 200 square feet in the portion of the building to be used for retail sales plus 1 space for every two employees on the maximum shift. (AMENDED 04/15/97)
2.210	1 space per 200 square feet of gross floor area. (AMENDED 2/4/86)
2.220 2.230	1 space per 400 square feet of gross floor area.

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USE	PART I. PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)
2.240	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.
2.250	(AMENDED 10/23/18)
2.310	1 space per 200 square feet of gross floor area.
2.320	1 space per 400 square feet of gross floor area.
2.330	1 space per 400 square feet of gross floor area.
3.110	1 space per 200 square feet of gross floor area.
3.120	1 space per 400 square feet of gross floor area.
3.130	1 space per 150 square feet of gross floor area.
3.131	(AMENDED 10/23/18)
3.150	1 space per 200 square feet of ground floor area. (AMENDED 06/20/95)
3.210	1 space per 200 square feet of gross floor area.
3.220	1 space per 400 square feet of gross floor area.
3.230	1 space per 200 square feet of area within main building plus reservoir lane capacity equal to five spaces per window (10 spaces if window serves two stations).
3.250	3 spaces arranged in close proximity to this use. (AMENDED 09/01/92)
3.260	1 space for every full time employee; 1 space for every 2 part time employees; 1 space for every 3 volunteers; 1 space for every 20 seats in the portion of the building used for dining and 1 space for every 100 square feet of the building dedicated toward meeting or educational space (depending on programming needs, this requirement may apply to the kitchen and dining spaces). (AMENDED 03/22/16)
4.100	1 space for every two employees on the maximum shift except that in the B-1-G,
4.200	B-2, B-3, and B-4 zones, such uses may provide 1 space per 200 square feet of gross floor area.
5.110	1.75 spaces per classroom in elementary schools 5.0 spaces per classroom in high schools.
5.120	1 space per 100 square feet of gross floor area.
5.130	1 space per 150 square feet of gross floor area.
5.200	1 space per every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes.
5.310	1 space per 300 square feet of gross floor area.
5.320	

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<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
5.400	1 space per 300 square feet of gross floor area.
6.110	1 space for every 3 persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion -- example tennis courts or bowling alleys) plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation.
6.120 6.130	1 space for every four seats.
6.140	1 space for every 200 square feet of gross floor area within enclosed buildings (AMENDED 2/2/88)
6.210 6.220	1 space per 200 square feet of area within enclosed buildings, plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity.
6.230	Miniature golf course -- 1 space per 300 square feet of golf course area plus 1 space per 200 square feet of building gross floor area; Driving range -- 1 space per tee plus 1 space per 200 square feet in building gross floor area; Par Three Course -- 2 spaces per golf hole plus 1 space per 200 square feet of building gross floor area.
6.240	1 space per horse that could be kept at the stable when occupied to maximum capacity.
6.250	1 space for every three seats.
6.260	1 space per speaker outlet.
7.100	2 spaces per bed.
7.200	3 spaces for every 5 beds
7.300 7.400	1 space for every two employees on maximum shift.
8.100	1 space per 100 square feet of gross floor area. (AMENDED 2/24/87)
8.200	1 space for every four outside seats. (AMENDED 2/24/87)
8.300	1 space for each drive-in service spot. (AMENDED 2/24/87)
8.400	Reservoir lane capacity equal to five spaces per drive-in window. (AMENDED 2/24/87)
8.500	Spaces to be determined according to projected level of carry-out service. (AMENDED 2/24/87)
8.600	1 space per 200 square feet of floor area plus one space per employee engaged in delivery service. (AMENDED 2/24/87)

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<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
8.800	1 space per 100 square feet of performing arts space plus additional spaces for associated and accessory uses as indicated in this table, either Part I or Part II, whichever is less. (AMENDED 11/27/18)
9.100	1 space per 200 square feet of gross floor area plus an extra 810 square foot vehicle storage area per repair bay.
9.200	2 regular spaces per bay plus a 1,540 square foot vehicle storage area per bay. (AMENDED 2/4/86)
9.300	1 space per 200 square feet of gross floor area of building devoted primarily to gas sales operation; plus sufficient parking area to accommodate 2 vehicles per pump without interfering with other parking spaces.
9.400	2 regular spaces per bay and office plus an 810 square foot vehicle storage area per bay. (AMENDED 2/4/86, 10/20/92)
9.500	Conveyer type--1 space for every three employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-service type--2 spaces for drying and cleaning purposes per stall plus two reservoir spaces in front of each stall.
10.210 10.220	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
11.000	1 space per 200 square feet of gross floor area.
12.100 12.200	1 space per 200 square feet of gross floor area.
13.100 13.200 13.300 13.400	1 space per 200 square feet of gross floor area.
14.100 14.200 14.300 14.400	1 space for every 2 employees on maximum shift.
15.100 15.200	1 space per 200 square feet of gross floor area.
15.300	1 space for every 2 employees on maximum shift.
15.400	1 space per 100 square feet of gross floor area.
15.500	1 space per 400 square feet of gross floor area of the collection facility plus 1 space

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PART I.	
USE	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)
	per employee or attendant. (AMENDED 6/28/83)
16.100	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.
16.200	1 space per 200 square feet of gross floor area.
19.000	1 space per 1,000 square feet of lot area used for storage, display, or sales. (AMENDED 5/12/81)
20.000 21.000	1 space per 200 square feet of gross floor area.
22.000	1 space for every employee plus 1 space per 250 square feet of floor area used for day care in addition to spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses.
23.000	1 space per 200 square feet of gross floor area. 1 space per room plus additional space for restaurant or other facilities.
34.000 34.100 34.200	1 space per room plus additional spaces for restaurant or other facilities. 2 spaces per main dwelling unit plus 1 space per room. (AMENDED 06/22/99; 11/28/06)
PART II. (APPLIES TO PROPERTIES LOCATED WITHIN THE B-1(C), B-1(G), AND B-2 ZONING DISTRICTS)	
USE	PARKING REQUIREMENT
1.100	1 per bedroom and no more than 2
1.200	1 per bedroom and no more than 2
1.300	1 per bedroom and no more than 2
1.500	.75 per room (Note: This does not include parking for associated conference and/or restaurant facilities.)
2.000	1 per 300 square feet of gross floor area
3.000	1 per 400 square feet of gross floor area

(AMENDED 02/04/97; 01/11/00; 5/18/04)

(h) Bicycle parking shall be provided in accordance with the provisions of this subsection by all developments that fall within the use classifications shown in the following Table of Bicycle Parking Standards.

When determination of the number of spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less shall be disregarded, while a fraction in excess of one-half shall be counted as one space.

Table of Bicycle Parking Standards (AMENDED 11/27/18)	
Use	Bicycle Parking Requirement
1.300	1.5 spaces per unit
2.100 2.200 2.300	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
3.100 3.200	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
3.260	1 space for every 5 seats in the portion of the building used for dining
5.100	1 space per 10 students plus 1 space per 10 employees
6.200	1 space per 4 presumptively required auto spaces
8.100 8.200 8.800	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
10.100	1 space per 10 auto spaces, with a minimum of 5 spaces
34.100	1 space per 5 rooms, up to 50 rooms; 1 space per 10 rooms above 50 rooms

(AMENDED 6/19/12; 3/22/16)

Section 15-292 Flexibility in Administration Required (AMENDED 10/23/18)

(a) The Board recognizes that due to the particularities of any given development, the inflexible application of the parking standards set forth in Subsection 15-291(g) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets as well as unauthorized parking in nearby private lots. The latter situation results in a waste of money as well as a waste of space that could more desirably be used for valuable development or environmentally useful open space. Therefore, as suggested in Section 15-191, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(g) and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the standard set forth in subsection 15-291(a). In addition, that same flexible approach shall be followed with respect to the vehicle storage area requirements set forth in the preceding table.

(a1) The Board also recognizes that due to the particularities of any given development, the inflexible application of bicycle parking standards set forth in Subsection 15-291(h) and 15-295.1 may result in a development either with inadequate parking space or parking space in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(h) and 15-295.1 may require more or less bicycle parking subject to the criteria in Subsection 15-292(b1).

(b) Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth in Subsection 15-291(g) when it finds that:

- (1) A residential development is irrevocably oriented toward the elderly;

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(2) A residential development is located on a bus line, is located in close proximity to the central business district, and is committed to a policy of placing restrictions on the vehicle ownership of its tenants.

(3) A business is primarily oriented to walk-in trade.

(b1) The permit-issuing authority may allow deviations from the bicycle parking requirements set forth in Subsection 15-291(h) when it finds at least one of the following:

(1) A residential development is irrevocably oriented toward the elderly, and or persons with disabilities; or

(2) A residential or commercial development is located on a lot, constrained by size or topography, such that the installation of the presumptive number bicycle parking spaces that comply with the Design Standards for Bicycle Parking in Section 15-295.1 is impracticable. In those cases, the development shall instead provide the maximum number of bicycle parking spaces practicable.

(c) Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth in subsections 15-291(g), 15-291(h) and 15-295.1, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

(d) If the permit-issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by subsections 15-291(g) and 15-291(h) for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements in accordance with the procedures set forth in Article XX.

Section 15-292.1 Payment of Fee In Lieu of Providing Parking Spaces

(a) With respect to properties within the B-1(C), B-1(G), and B-2 districts that are developed for commercial purposes, the permit issuing authority may authorize the developer to forego the construction of parking spaces otherwise required on the developer's property pursuant to the provisions of Section 15-291 of this Article for commercial uses if (i) the permit issuing authority finds that the parking needs of such development can be met by public parking facilities that are located or expected to be constructed within a reasonable time within reasonable proximity to the proposed development, and (ii) the developer pays to the town for each such space that is not constructed a fee in lieu of providing that space in an amount determined as provided in subsection (b) of this section. This fee shall be paid before an occupancy permit is issued to the development, unless the permit issuing authority by condition establishes another time.

(b) The amount of the fee authorized by this section shall be determined by estimating the cost of providing a paved parking space (including land and improvement costs) that meets

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the requirements of this Article. This determination shall be made annually and the fee shall be included in the Miscellaneous Fees and Charges Schedule adopted by the Board of Aldermen.

(c) Any fees collected in accordance with this section shall be reserved and used exclusively to meet the purposes for which they have been obtained as specified above in subsection (a).

Section 15-293 Parking Space Dimensions (AMENDED 9/13/83)

(a) Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and eighteen feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, as long as the parking spaces so created contain within them the rectangular area required by this section. (AMENDED 2/5/08)

(b) In parking areas containing ten or more spaces, up to 40% of the parking spaces may be set aside for the exclusive use of compact cars, provided the compact car area is designated for exclusive use by compact cars, and that adequate signs are provided designating and informing the public of the exclusive use. A compact parking space shall contain a rectangular area eight feet wide and fifteen feet long. (AMENDED 4/24/12)

(c) Wherever parking consists of spaces set aside for parallel parking, one foot shall be added to the minimum required width, and three feet to the minimum required length.

(d) Motorcycle pads shall contain a rectangular area at least four feet wide and eight feet long. Spaces shall be located at either end of parking aisles and shall have, centered, a concrete or metal strip one square foot in area to accommodate the use of kick stands.

Section 15-294 Required Width of Parking Area Aisles (AMENDED 5/18/04)

(a) Subject to subsections (b) and (c) parking area aisles shall have a minimum width between parking spaces as follows: (AMENDED 6/26/84)

STANDARD, OR NON-SUBCOMPACT AREA PARKING ANGLE				
aisle type	0°	45°	60°	90°
ONE WAY	13	13	18	24
TWO WAY	19	21	23	24

(b) In parking areas where subcompact spaces are provided pursuant to 15-293(b) of this ordinance, parking aisle spaces adjoining subcompact spaces shall have a minimum width between such parking spaces as follows:

STANDARD AREA PARKING ANGLE				
AISLE TYPE	0°	45°	60°	90°
ONE WAY	13	13	14	20
TWO WAY	19	21	23	24

- (c) The width of a parking aisle serving 90° angle parking may be reduced to eighteen feet if (i) not more than ten spaces are to be served by an aisle with such reduced width, and (ii) the aisle “dead ends”, i.e., is not used as an access way to other areas. **(AMENDED 6/26/84)**
- (d) Driveways shall be not less than ten feet in width for one way traffic and eighteen feet in width for two way traffic, except that ten foot wide driveways are permissible for two way traffic when (i) the driveway is not longer than fifty feet, (ii) it provides access to not more than ten spaces, and (iii) sufficient turning space is provided so that vehicles need not back into a public street. **(AMENDED 6/26/84)**
- (e) Notwithstanding the other provisions of this section, the permit issuing authority may allow the use of geometric standards other than those specified in this section if the permit issuing authority finds that (i) the plans for the vehicle accommodation area are sealed by a registered engineer with recognized expertise in parking facility design, and (ii) the alternative design will satisfy off-street parking requirements as adequately as would a facility using the specifications set forth in this section and would otherwise be consistent with public safety.

Section 15-295 General Design Requirements (AMENDED 5/18/04)

- (a) Vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units.
- (b) Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.
- (c) Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.
- (d) Vehicle storage areas are not required to observe any particular configuration but shall be so located and designed so that the entire amount of required square footage of such areas can be used for the purpose intended without creating any substantial danger of

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injury to persons or property and without impeding vehicular movement in the adjacent street. (AMENDED 2/4/86)

- (e) To the extent practicable, parking shall not be allowed between a building façade and a street right-of-way in the B-1(c), B-1(g), and B-2 zoning districts.

Section 15-295.1 Design Standards for Bicycle Parking (AMENDED 6/19/12; 11/19/13)

- (a) Bicycle parking may be located in any parking area or in other locations that are easily accessible, clearly visible from the entrance it serves, and do not impede pedestrian or motorized vehicle movement into or around the site. At least 50 percent of bicycle parking shall be sheltered. Designating space for bicycle parking within buildings is an option to consider when feasible.
- (b) When a percentage of the required motorized vehicle spaces are provided in a structure, an equal percentage of the required bicycle spaces shall be located inside that structure, unless an equivalent number of other accessible covered bicycle parking spaces are located elsewhere on the site.
- (c) Where bicycle parking facilities are not clearly visible to approaching cyclists, signs shall be posted to direct cyclists to the facilities.
- (d) Facilities shall provide at least a 30 inch clearance from the centerline of each adjacent bicycle rack/support structure and at least 24 inches from walls or other obstructions.
- (e) An aisle or other space shall be provided for bicycles to enter and leave the facility. The aisle shall have a width of at least four feet to the front or the rear of a standard six-foot bicycle parked in the facility.
- (f) Each bicycle parking space shall be sufficient to accommodate a bicycle at least six feet in length and two feet wide. Overhead clearance shall be at least seven feet.
- (g) Bicycle parking spaces shall be clearly marked as such and shall be separated from motorized vehicle parking by some form of physical barrier designed to protect a bicycle from being hit by a motorized vehicle.
- (h) Each bicycle parking space shall be provided with some form of stable frame permanently anchored to a foundation to which a bicycle frame and both wheels may be conveniently secured using either a chain and padlock or a U-lock. The frame shall support a bicycle in a stable position without damage to the frame, wheels, or components. The rack designs commonly known as “inverted U”, “A”, and “post-and-loop” are pre-

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ferred types. The “wave”, “toast”, and “comb” racks, as described in Chapter 7, Figure 7-60, of the Comprehensive Bicycle Transportation Plan, are discouraged and shall not count toward fulfillment of the requirements in Sec. 15-291(h). **(AMENDED 11/19/13)**

- (i) Bicycle racks should be designed and constructed according to Design Guidelines of the Carrboro Bicycle Plan.

Section 15-296 Vehicle Accommodation Area Surfaces

(a) Subject to subsections (e), (f), (g), *and* (h) vehicle accommodation areas that (i) include lanes for drive-in windows; (ii) are required to contain more than 1,000 square feet of vehicle storage area; or (iii) contain parking areas that are required to have more than ten parking spaces and that are used regularly at least five days per week shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in Appendix D. **(AMENDED 2/4/86; 3/4/86; 6/26/90; 5/6/03)**

(b) Vehicle accommodation areas that are not provided with the type of surface specified in subsection (a) shall be graded and surfaced with crushed stone, gravel, or other suitable material (as provided in the specifications set forth in Appendix D) to provide a surface that is stable and will help to reduce dust and erosion. The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices. In addition, whenever such a vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the vehicle accommodation area that opens onto such streets), shall be paved as provided in subsection (a) for a distance of fifteen feet back from the edge of the paved street. This subsection shall not apply to single-family residences, duplexes, multi-family residences consisting of two dwelling units, homes for the handicapped or infirm, or other uses that are required to have only one or two parking spaces.

(c) Parking spaces in areas surfaced in accordance with subsection (a) shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surfaced in accordance with subsection (b) shall be demarcated whenever practicable.

(d) Vehicle accommodation areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, vehicle accommodation area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

(e) Vehicle accommodation areas that constitute 10.100 classification uses (independent automobile parking lots or garages) and that contain more than ten parking spaces shall meet the surfacing requirements set forth in subsection (a) unless it clearly appears that the 10.100 classification use is intended to be temporary (not exceeding four years). In no event may the 10.100 use continue for more than four years unless the lot is paved in accordance with this subsection. Notwithstanding the provisions of Article VIII (Nonconforming Situations), (i) any parking lot made nonconforming by this subsection on its effective date shall be brought into compliance within twelve months after the

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effective date, and (ii) unpaved temporary 10.100 uses in operation on the effective date of this subsection must be paved or terminated within one year thereafter or four years from the initial use of such lot, whichever comes later. **(AMENDED 3/11/86)**

(f) The paving requirement of subsection (a) shall not apply to parking areas owned or leased by the town that are used for public parking for a period of time less than four years. If such areas are used for parking for a period in excess of four years, then such areas must be paved if otherwise required under the standards set forth in subsection (a). **(AMENDED 3/4/86)**

(g) The paving requirement of subsection (a) shall not apply to any lot within the B-1(c) zoning district. However, lots that would otherwise be required to be paved but for this exception shall be required to comply with the shading provisions set out in Subsection 15-317. **(AMENDED 6/26/90)**

(h) When any tract of land is developed under circumstances requiring the issuance of a special or conditional use permit, and paving is required per Section 15-296(a), the vehicle overhang area located behind a parking stop may be unpaved as shown in Appendix D-3. **(AMENDED 5/6/03)**

Section 15-297 Joint Use of Required Parking Spaces (AMENDED 5/18/04)

(a) One parking area may contain required spaces for several different uses, but except as otherwise provided in this section, the required space assigned to one use may not be credited to any other use.

(b) To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally 90% vacant on weekends, another development that operates only on weekends could be credited with 90% of the spaces on that lot. Or, if a church parking lot is generally occupied only to 50% of capacity on days other than Sunday, another development could make use of 50% of the church lot's spaces on those other days.

(c) With respect to properties within the B-1(c), B-1(g), and B-2 districts where two or more use classifications on the same site have two or more distinct peak parking usage periods, the number of parking spaces required may be reduced to the amount that results from dividing the total number of spaces otherwise required by the following ratios:

Use Classifications	Reduction Ratio
2.000 and 3.000 uses	1.2
2.000 and 1.500 uses	1.3
2.000 and 1.100/1.200/1.300 uses	1.2
3.000 and 1.500 uses	1.7
3.000 and 1.100/1.200/1.300	1.4
1.500 and 1.100/1.200/1.300	1.1

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(d) If the joint use of the same parking spaces by two or more principal uses involves satellite parking spaces, then the provisions of Section 15-298 are also applicable.

Section 15-297.1 Creation of Public Parking Lots from Private Parking Areas (AMENDMENT 4/15/03)

Notwithstanding any other provision of this chapter, within the B-1(c) and B-1(g) zoning districts:

- (1) The town may acquire through lease or purchase portions of one or more lots and create out of the area so acquired an independent parking lot (use classification 10.100);
- (2) Acquisition by the town and use of portions of lots as provided in this section shall not be regarded as creating a non-conforming situation with respect to parking on such lots or making any existing situation more non-conforming with respect to parking.
- (3) When the town acquires and uses portions of lots as provided in this section, the number of spaces within the public parking lot so created that are attributable to the portion of the parking lot acquired from each “donor” lot shall be regarded as still being located on each “donor” lot for purposes of determining whether each “donor” lot complies with the parking requirements of this article.

Section 15-298 Satellite Parking

(a) If the number of off-street parking spaces required by this chapter cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off- site spaces are referred to in this section as “satellite” parking spaces.

(b) All such satellite parking (except spaces intended for employee use or spaces required in relation to use 8.800, Performing Arts Space) may be located within 1000 feet of the public entrance of a principal building housing the use associated with such parking. **(AMENDED 11/27/18)**

(c) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number or parking spaces.

(d) Subject to subsection (e), persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article. **(AMENDED 3/11/86)**

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(e) Satellite parking may be obtained from an independent automobile parking lot or garage [use classification 10.100, see definition subdivision 15-15(32.1)]. However, if a separate lot is owned by an enterprise needing off-site parking and is leased by that enterprise for a period of more than four years (including automatic renewals or renewal options) and is used as a parking lot by that enterprise (and others may lawfully be excluded), then such off-site lot shall be regarded as part of the lot on which the enterprise is located for purposes of the paving and other design requirements of this chapter. (AMENDED 3/11/86)

Section 15-299 Special Provisions for Lots With Existing Buildings and Lots within Neighborhood Preservation Districts (AMENDED 9/26/89)

(a) Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on it constructed before the effective date of this chapter, and (ii) a change in use to other than a performing arts space (use classification 8.800) that does not involve any enlargement of a structure is proposed for such lot, and (iii) the parking requirements of Section 15-291 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the developer need only comply with the requirements of Section 15-291 to the extent that (i) parking space is practicably available on the lot where the development is located, and (ii) satellite parking space is reasonably available as provided in Section 15-298. However, if satellite parking subsequently becomes reasonably available, then it shall be a continuing condition of the permit authorizing development on such lot that the developer obtain satellite parking when it does become available. (AMENDED 11/27/18)

(b) Whenever the neighborhood preservation district commission determines that the number of parking spaces otherwise required by this article for a development within the neighborhood preservation district would render such development incongruous with the special character of the district, it may recommend that the permit-issuing authority wholly or partially waive such parking requirements. Upon such recommendation, the permit-issuing authority may authorize a lesser number of parking spaces than that presumptively required under this article if it concludes that such deviation (i) will not create problems due to increased on-street parking and (ii) will not constitute a threat to public safety. (AMENDED 09/26/89)

Section 15-300 Loading and Unloading Areas.

(a) Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.

(b) The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set

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forth in this subsection. However, the permit-issuing authority may require more or less loading and unloading area if reasonably necessary to satisfy the foregoing standard.

GROSS LEASABLE AREA OF BUILDING	NUMBER OF SPACES WITH MINIMUM DIMENSIONS OF 12' x 55' AND OVERHEAD CLEARANCE OF 14' FROM THE STREET GRADE
1,000 - 19,999	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191,999	4
192,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7
Plus one (1) for each additional 72,000 square feet or fraction thereof.	

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(c) Loading and unloading areas shall be so located and designed that the vehicles intended to use them can (i) maneuver safely and conveniently to and from a public right-of-way, and (ii) complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot aisle.

(d) No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

Section 15-301 No Parking Indicated Near Fire Hydrants.

Whenever a fire hydrant is located adjacent to any portion of a vehicle accommodation area required to be paved under subsection 15-296(a), the pavement shall be clearly marked to indicate that parking within fifteen feet of such hydrant is prohibited. (AMENDED 4/27/82)

Section 15-302 Limitation on the Total Lot Coverage Devoted to Surface Parking

No development approved after the effective date of this section may construct more than 110 percent of the number of parking spaces determined by the permit issuing authority to be necessary to satisfy the requirements of Section 15-291.

Section 15-303 Reserved.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**H.B. 296
Mar 15, 2021
HOUSE PRINCIPAL CLERK**

H

D

HOUSE BILL DRH10135-MW-7A

Short Title: EV Charging Station/Parking. (Public)

Sponsors: Representative Warren.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO REGULATE PARKING IN AN ELECTRIC VEHICLE CHARGING STATION.
The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

...

(7c) Electric vehicle charging station. – A public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

~~(7e)~~(7d) Employer. – Any person who owns or leases a commercial motor vehicle or assigns a person to drive a commercial motor vehicle and would be subject to the alcohol and controlled substance testing provisions of 49 C.F.R. § 382 and also includes any consortium or third-party administrator administering the alcohol and controlled substance testing program on behalf of owner-operators subject to the provisions of 49 C.F.R. § 382.

...."

SECTION 2. Article 3 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-162.4. Parking in a space designated as an electric vehicle charging station.

(a) Prohibited Conduct. – No person may park a vehicle in an electric vehicle charging station located on public or private property if the vehicle is not connected to the charging equipment.

(b) Signage. – A space designated as an electric vehicle charging station must be (i) indicated by vertical signage identifying the station as an electric vehicle charging station and indicating that it is only for electric vehicle charging and (ii) the signage must be consistent with the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the United States Department of Transportation, and any supplement to that Manual adopted by the North Carolina Department of Transportation.

(c) Penalty. – Any person who commits a violation of subsection (a) of this section shall be guilty of an infraction and a fine of one hundred dollars (\$100.00).

(d) Local Jurisdictions. – Municipalities may authorize by ordinance additional prohibited conduct for parking in a space designated as an electric vehicle charging station and higher penalties than those set out in this section.



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1 (e) Enforcement. – This section shall be enforced by State, county, city, and other
2 municipal authorities in their respective jurisdictions in the same manner as is used to enforce
3 other parking laws and ordinances."

4 **SECTION 3.** This act becomes effective December 1, 2021, and applies to offenses
5 committed on or after that date.