

(l) All data service provider facilities shall meet the applicable lighting requirements established in section 15-242.5.

(m) The recipient of the permit for data service provider facilities shall submit to the Zoning Administrator written verification that the facility is being utilized within thirty (30) days of receipt of a written request for such verification. Data service provider facilities which are not used for a period of 6 months or more shall be removed by the recipient of the permit or subsequent permit holder within 90 days thereafter.

Section 4. Section 15-147 Use of the Designation Z, S, C, in Table of Permissible Uses is amended by adding a new subsection (n) that reads as follows:

(n) Notwithstanding the foregoing, the permit requirement for use classification 15.750 data service provider facilities shall be determined by the supplementary use regulations in Section 15-176.6.

Section 5. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 6. This ordinance shall become effective upon adoption.

**This the 23<sup>rd</sup> day of June, 2015**

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

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**PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS TO MODIFY THE PRESUMPTIVE PARKING REQUIREMENT FOR RESTAURANTS WITH OUTDOOR SEATING**

The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to modify the presumptive parking requirements for restaurants with outdoor seating in the B-1(c), B-1(g) and B-2 zoning districts.

Tina Moon, the Town's Planning Administrator, provided the staff report.

Nathan Milian, property manager for Carr Mill Mall, urged the Board to refrain from adopting the proposed amendment until the parking study was completed and presented the Town Clerk with materials for the record.

Mike Benson, owner of Southern Rail, stated that Carrboro has been growing and that the parking issues are a direct result. He stated that the proposed amendment is a good thing.

Alderman Johnson stated that the advisory boards recommended that the Board wait to act on the proposed amendment until the Parking Study begins.

Alderman Gist stated that she would like to see a survey completed to see if people are biking or walking to outdoor seating. She asked for the parking study to include such a survey.

Alderman Seils stated that it makes sense to continue the public hearing to include a more comprehensive process.

Alderman Slade stated that it makes sense to consider this item for after the parking study and that the Transportation Advisory Board supports this amendment with the caveat of waiting to see if the Parking Study data backs it up. He also asked for clarification from the Nathan Milian (seated in the audience) regarding if “they are litigating the Town” upon which time Mr. Milian nodded to reject that statement and Alderman Slade continued that it would be ironic if Mr. Milian was litigating and wanted to discontinue the study since part of the reason for the Parking Study was to respond to Carr Mill Mall’s parking complaint.

Trish McGuire, the Town's Planning Director stated that staff will try to accomplish returning this item to the Board on September 22, 2015 for further discussion.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO CONTINUE THIS PUBLIC HEARING UNTIL SEPTEMBER 22, 2015. VOTE: AFFIRMATIVE ALL.

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### **ENERGY AND CLIMATE ACTION PLANNING TASK FORCE REPORT**

The purpose of this item was for the Energy and Climate Action Planning Task Force to present its recommendations.

Randy Dodd, the Town's Environmental Planner, provided an introduction to the report.

Members of the Taskforce were present to provide the report and discuss their recommendations.

Alderman Johnson asked the Town Manager to look into a position of a sustainability coordinator in next year's budget and that interns are used in the interim. She stated that it could be a good idea for the members to meet with the Affordable Housing Taskforce to speak about affordability issues. She asked for shared parking to be looked into for car/vanpool parking. She encouraged staff to work with the school system to have more bike to work and school events. She encouraged the Taskforce to work with school groups that may be interested in assisting.

Alderman Haven-O'Donnell asked the Town Attorney to review the Town's authority to limit idling in the Town. She stated that the Town is looking into the potential to partner with a stormwater utility. She stated that she approves of an extension of their work.

Alderman Chaney suggested a lunch-and-learn event to help promote the goals of the Taskforce. She suggested that the final plan be very clear that the Town would like to prioritize subsidies to barriers for low-income communities so all have equal access to creating a healthy community. She encouraged