

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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HOUSE BILL 914

Short Title: Chapel Hill Facilities Fees.

(Local)

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Sponsors: Representatives Hackney and Barnes.

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Referred to: Government.

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March 27, 1989

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHAPEL HILL TO  
2 ALLOW THE ADOPTION OF ORDINANCES REQUIRING THAT ADEQUATE  
3 PUBLIC FACILITIES BE AVAILABLE FOR SERVING PROPOSED  
4 DEVELOPMENT AND TO REQUIRE EXISTING DEVELOPMENT TO  
5 ADDRESS TRAFFIC IMPACT GENERATED BY THAT DEVELOPMENT.  
6

7 The General Assembly of North Carolina enacts:

8 Section 1. The Charter of the Town of Chapel Hill being Chapter 473,  
9 Session Laws of 1975, is hereby amended by adding a new section to read:

10 "Sec. 5.19. Adequate Public Facilities and Traffic Impact Regulations Authorized.  
11 For the purpose of protecting against scattered or premature development of land that  
12 would threaten the public health, safety and welfare due to lack of adequate water  
13 supply, sewerage, stormwater drainage, traffic circulation, mass transit, solid waste,  
14 open space, parks, schools, fire protection or any other public facilities or services; for  
15 the purpose of preventing the excessive, inefficient and uncoordinated expenditure of  
16 public funds for the supply of such facilities or services; and for the purpose of  
17 promoting the health, safety and general welfare of the community, the Town of Chapel  
18 Hill shall have the authority to exercise the following powers:

- 19 (1) To enact ordinances to assure that public facilities or services  
20 (including, but not limited to streets and roads, sidewalks, traffic  
21 control devices, water and sewer lines and schools) are available at an  
22 adequate level of service to serve proposed development.  
23 (2) To condition development application approvals upon the applicant's  
24 provision of transportation management programs which address the

- 1 traffic and transportation impacts of the new development, which  
2 programs may include but are not limited to, requirements for  
3 improvements to public transportation facilities impacted by the  
4 proposed development or payments in lieu of improvements.
- 5 (3) To enact ordinances to require existing development to address the  
6 impact on the health, safety and general welfare of the community of  
7 traffic generated or promoted by that development, including the  
8 authority to require implementation of transportation management  
9 plans and other steps to ensure implementation of an appropriate  
10 transportation management program by existing development."  
11 Sec. 2. This act is effective upon ratification.