



Agenda

Greenville City Council

May 8, 2023

6:00 PM

City Hall Council Chambers, 200 West 5th Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

- I. Call Meeting To Order**
- II. Invocation - Reverend Andrew Cannan, St. Paul's Episcopal Church**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. Public Comment Period**

The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

VII. Consent Agenda

- 1. Ordinance amending the City Code regarding changes to the Sheppard Memorial Library

Board and approval of revised City of Greenville Board and Commission Policy

2. Resolution and Water Line Easement and Access Easement for Greenville Utilities Commission to provide water service to Fire-Rescue Station 7
3. Resolution and Water Line Easement and Access Easement for Greenville Utilities Commission to expand water service to Wildwood Park
4. Encroachment Agreement with the North Carolina Department of Transportation for Placement of the City's Gateway Monument Sign and Associated Landscaping and Lighting
5. Ordinance revising a speed limit ordinance for SR 1702 (Evans Street) in the City of Greenville to concur with North Carolina Department of Transportation ordinances
6. Resolution acknowledging the City of Greenville as a participant in the Vision Zero program
7. Subordination Agreement involving Sale of Hotel Property to support Greenville Convention Center
8. First reading of an ordinance requested by the Engineering Department to amend various chapters of the City Code to reflect recent changes in the City's operating structure and development standards
9. Contract award for janitorial services for various City facilities
10. Request to Increase the Not-to-Exceed Amount for the 2021 On-Call Civil Engineering Services Contract

VIII. New Business

11. Adoption of Recreation and Parks Comprehensive Master Plan
12. Budget Ordinance Amendment #9 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), the Special Revenue Grant Fund (Ordinance #11-003), and the Capital Projects Funds (Ordinance #17-024)
13. Presentation of the City of Greenville Fiscal Year 2023-24 Proposed Budget

IX. Review of May 11, 2022 City Council Agenda

X. City Manager's Report

XI. Comments from Mayor and City Council

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Ordinance amending the City Code regarding changes to the Sheppard Memorial Library Board and approval of revised City of Greenville Board and Commission Policy

Explanation: The City Clerk's Office has been examining boards and commissions on a continuous basis to clarify current uses, identify ways to offer support, and identify areas to improve efficiency.

The Sheppard Memorial Library Board has identified potential steps to strengthen the Sheppard Memorial Library as a library system in the County:

- Codify the Sheppard Memorial Library Board to define its composition and mission
- Extend membership on the Board to include a member appointed by the Town of Winterville and the Town of Bethel
- Update the membership of the Board to change the Ex-Officio members appointed by the City Council and Pitt County Board of Commissioners to non-voting liaisons to the Board

The City Council's Board and Commission Policy will need to be amended to reflect those proposed changes. Additionally, staff proposes that the Board & Commission Policy's section on holdover terms be amended to allow holdover terms until new members are appointed to replace outgoing members.

Fiscal Note: No direct fiscal impact.

Recommendation: Approve the ordinance to amend the City Code and approve the revised Board and Commission Policy

ATTACHMENTS

📎 [1177125 - ORDINANCE--23-XX--Changes to Part II.Title 2.Chapter 3 of City Code--Sheppard Memorial Library--Board of Trustees - 1 .DOCX](#)

📎 [COG-#1177144-v1-COG--Board_and_Commission_Policy_for_the_City_of_Greenville--Update_Regarding_Sheppard_Memorial_Library_Board_of.doc](#)

ORDINANCE NO. 23-_____

AN ORDINANCE TO AMEND PART II, TITLE 2, CHAPTER 3, ARTICLE F. OF THE
CODE OF ORDINANCES, CITY OF GREENVILLE REGARDING THE SHEPPARD
MEMORIAL LIBRARY

WHEREAS, the City Council of the City Greenville desires to revise certain provisions of Part II, Title 2, Chapter 3, Article F. of the Code of Ordinances, City of Greenville regarding the Sheppard Memorial Library, which is the public library system in Pitt County, North Carolina;

WHEREAS, the certain revisions to the Code of Ordinances, City of Greenville regarding Part II, Title 2, Chapter 3, Article F. of the Code of Ordinances, City of Greenville are necessary to adequately ensure uniform compliance with applicable law and seamless operation of the Board of Trustees of the Sheppard Memorial Library;

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES
HEREBY ORDAIN:

SECTION 1. That the heading for Part II, Title 2, Chapter 3, Article F. is hereby repealed and replaced to now read as follows:

ARTICLE F. SHEPPARD MEMORIAL LIBRARY BOARD OF TRUSTEES

SECTION 2. That Part II, Title 2, Chapter 3, Article F. is hereby amended to add the following section as follows:

SEC. 2-3-60 SHEPPARD MEMORIAL LIBRARY BOARD OF TRUSTEES.

(A) *Creation and purpose.* Within the authority granted by the North Carolina General Statutes, including N.C.G.S. § 153A-265, the Sheppard Memorial Library Board of Trustees is hereby appointed to govern the Sheppard Memorial Library as the county-wide public library system for Pitt County and to support the provision of public library services in accordance with applicable law.

(B) *Composition and appointment of the board.* The membership of the Sheppard Memorial Library Board of Trustees shall be comprised of at least nine but no more than eleven Trustees, appointed as follows:

- (1) No more than six Trustees appointed by the City Council, who shall be residents of the City.
- (2) No more than three Trustees appointed by the Pitt County Board of Commissioners, who shall be residents of Pitt County.
- (3) One Trustee appointed by the governing body of the Town of Winterville, who shall be a resident of the Town of Winterville.

- (4) One Trustee appointed by the governing body of the Town of Bethel, who shall be a resident of the Town of Bethel.

All Trustee appointments made to the Board shall also be in compliance with the *Board and Commission Policy for the City of Greenville*. In addition to the aforementioned Trustees, both the City Council and the Pitt County Board of Commissioners may in their discretion each appoint one of their own members as an ex-officio non-voting Liaison to the Board to serve in an advisory capacity.

(C) *Length of term.* A Trustee shall not be appointed by the same governing body for more than two consecutive three-year terms.

(D) *Manner of filling vacancies.* When an appointment is made to fill an unexpired term, the appointee will remain eligible to be appointed to serve up to two consecutive three-year terms.

(E) *Compensation and reimbursement.* All Trustees shall serve without compensation, except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any fund available to the Board.

(F) *Removal of a trustee.* The City Council, Pitt County Board of Commissioners, and the governing bodies of the Town of Winterville and the Town of Bethel may remove any of their respective appointed Trustees at any time for incapacity, unfitness, misconduct, or neglect of duty.

(G) *Powers and duties of the board.* In addition to those duties established in the Bylaws for the Sheppard Memorial Library Board of Trustees, the Board shall elect a chairman and may elect other officers. The Board also has the following powers:

- (1) To formulate and adopt programs, policies, and regulations for the government of the library.
- (2) To make recommendations to the governing bodies involved in the library system concerning the construction and improvement of buildings and other structures for the library system.
- (3) To supervise and care for the facilities of the library system.
- (4) To appoint a director of library services, who shall appoint other employees of the library system.
- (5) To establish, a schedule of fines and charges for late return of, failure to return, damage to, and loss of library materials, and to take other measures to protect and regulate the use of such materials.
- (6) To participate in preparing the annual budget of the library system.
- (7) To extend the privileges and use of the library system to nonresidents of the City, Pitt County, the Town of Winterville, or the Town of Bethel on any terms or conditions the Board may prescribe.
- (8) To otherwise advise the Pitt County Board of Commissioners, the City Council, and the governing bodies of the Town of Winterville and the Town of Bethel on library matters.

The Board shall also make an annual report on the operations of the library to the City Council and may also make an annual report on the operations of the library to the Pitt County Board of Commissioners and the governing bodies of the Town of Winterville and the Town of Bethel and shall make an annual report to the Department of Natural and Cultural Resources as required by N.C.G.S. § 125-5.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 5. This ordinance will become effective upon adoption.

ADOPTED this the _____ day of _____, 2023.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

BOARD AND COMMISSION POLICY FOR THE CITY OF GREENVILLE

Having citizens to serve on boards and commissions gives them an opportunity to participate in local government. In order to maintain some consistency, a policy has been adopted to aid in the appointment process and in other areas dealing with the boards and commissions. In order to provide all citizens of Greenville with an opportunity to serve on City boards and commissions, this board and commission policy is being established.

Talent Bank

A pool of applicants for the various boards and commissions, called the talent bank, shall be maintained by the City Clerk's Office. This talent bank shall be updated on a biennial basis. Solicitation of applications for this pool of applicants shall be done through such methods as advertising in local newspapers, the City website, the government access channel, and posted at some City buildings. On at least a monthly basis, the City Clerk's Office shall notify City Council of new applications received.

Appointments

City Council Members shall be notified of upcoming appointments to City boards and commissions by the first day of the month preceding the month in which the appointment is to be made. A list of persons who have indicated an interest in serving on the board or commission through the talent bank shall also be provided to the City Council.

The list of upcoming appointments shall be advertised in the local newspaper, on the government access channel, and on the City's website at least four weeks prior to the meeting at which the appointment is to be made in order to provide citizens with an opportunity to indicate their interest in serving.

Prior to the 15th day of the month preceding the month in which the appointment is to be made, City Council Members shall submit any recommendations for upcoming vacancies to the elected official responsible for making a nomination to City Council to fill the vacancy on the board or commission. The elected official responsible for making a nomination to City Council to fill the vacancy shall be provided a copy of resumes from citizens for upcoming appointments as they are received by the City Clerk's Office.

During review of nominations for upcoming appointments, the elected official responsible for making a nomination to City Council to fill the vacancy may request the City Clerk's assistance in obtaining the nominees' addresses and any pertinent background information. The elected official responsible for making a nomination to City Council to fill the vacancy shall contact the individual to discuss the applicant's interest in the board and his/her ability to attend the meetings in accordance with this policy.

The City Clerk's Office will mail an appointment letter to a person appointed no later than seven calendar days after the appointment is made.

Several of the boards and commissions have representation from other entities. Also, criteria for the membership is noted in the by-laws or ordinance creating many of the boards and commissions. The criteria and/or appointment process are detailed below.

Affordable Housing Loan Committee. The committee shall have seven regular members and one alternate member. It shall be racially diverse and composed of persons with experience and an interest in housing. The members may be of the following professions: banker, lawyer, realtor, member of the building profession or developer, member of a social service organization, and a member of a local housing group. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Board of Adjustment. The board shall consist of seven regular members and four alternate members. Six of the regular members and three alternate members shall reside within the corporate limits of the City of Greenville at the time of their appointment and shall be appointed by the City Council. One of the regular members and one alternate member shall reside outside of the corporate limits of the city but within the extraterritorial jurisdiction at the time of their appointment and shall be appointed by the Board of Commissioners. City members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members. The County Commissioners shall appoint county candidates and the appointment letter shall be sent from the County Clerk's Office for those appointments. A copy of the appointment letter shall be sent to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Board of Adjustment members applies to Board of Adjustment members appointed after October 11, 2010, other than Board of Adjustment members who are to be appointed by the Pitt County Board of Commissioners. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Five, for the first appointment, the Mayor, for the second appointment, Council Member, At-large, for the third appointment, Council Member, District One, for the fourth appointment, Council Member, District Two, for the fifth appointment, Council Member, District Three, for the sixth appointment, and, Council Member, District Four, for the seventh appointment.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Prior to City Council making an appointment as a result of a nomination, the elevation of alternate members in accordance with the Alternate Members section of this policy shall occur. In the event the term of an alternate member position is expiring and the person holding this alternate member position was appointed after October 11, 2010, and remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the person holding this alternate member position will be automatically reappointed without the necessity of a nomination and the City Council shall make the reappointment by a motion of appointment. In the event the term of an alternate member position is expiring and the person holding this alternate member position was not appointed after October 11, 2010, and remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the nomination to fill the alternate member position will be made by the next elected official in the rotation order set forth above.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe. In the event any of the appointments will result in a new person being appointed as a regular member after the elevation of alternate members in accordance with the Alternate Members section of this policy, the regular member positions to be filled will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions. In a similar manner, the highest ranked alternate positions will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position on the Board held by the person who was nominated by the elected official will thereafter be assigned for nomination by the same elected official who made the initial nomination of that person. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for a position on the Board held by the person who was nominated by Council Member, District 1, again, due to the expiration of the term or a vacancy in the position on the Board held by the person who was nominated by Council Member, District One, the nomination for that position will be made by Council Member, District One.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for the eighth position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Environmental Advisory Commission. The commission shall have seven members that are designated as follows: (A) a lawyer or other person with knowledge of environmental regulations and environmental safety practices; (B) a building contractor, land developer or someone familiar with construction techniques; (C) a member of a local environmental group;

(D) an educator of the natural or physical sciences or physician; (E) a professional engineer; (F) an at-large member from the Greenville community; and (G) an at-large member with skills and interest in environmental public health, safety and/or medicine. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members. The mayor or a member of city council shall be designated as an ex-officio, non-voting member of the commission

Firefighters' Relief Fund Committee. The committee shall consist of five trustees. The members of the Fire/Rescue Department shall elect two trustees to serve at the pleasure of the members of the Fire/Rescue Department. The trustees elected by members of the Fire/Rescue Department may serve until such time as they resign or an election is held to replace them. The trustees elected by the members of the Fire/Rescue Department shall be either (i) residents of the fire district or (ii) active or retired trustees of the Fire/Rescue Department. The City Council shall appoint two trustees to serve at the pleasure of City Council. The trustees appointed by City Council shall be residents of the fire district. The Commissioner of Insurance shall appoint one representative to serve as trustee who shall serve at the pleasure of the Commissioner. The trustee appointed by the Commissioner of Insurance shall be either (i) a resident of the fire district or (ii) an active or retired member of the Fire/Rescue Department. North Carolina General Statute 58-84-30 governs the appointment of the trustees of the Firefighter's Relief Fund.

Greenville Utilities Commission. The commission shall consist of eight members, one of whom is the City Manager. The charter specifies that the members shall have utilities expertise. Representation should include some members with financial, engineering, environmental, technical, or development backgrounds. Five City members shall be appointed by the City Council in accordance with this policy, and appointment letters for the City members sent by the City Clerk's Office. Two County candidates shall be nominated by the County Commissioners, at which time the County Clerk shall submit to the City Clerk a letter of recommendation. (The two candidates shall be bonafide residents of Pitt County but residing outside the city limits, who shall be customers of Greenville Utilities.) The City Clerk's Office shall then obtain background information on the nominee and provide it along with the letter to the City Council liaison. The information shall be provided to City Council for consideration at a regular City Council meeting. The City Council shall have the right to reject any nominee from the Board of Commissioners and to request additional nominees. If the Pitt County Board of Commissioners fails to recommend a nominee to the City Council within 60 days of the original date requested by the City Council, then the City Council may appoint any individual that meets the residency requirement. The City Clerk's Office shall send a letter of appointment to the new members informing them of the appointment. A copy of the letter for County appointments shall be sent to the County Clerk. Greenville Utilities Commissioners filling the first three-year term shall automatically fill a second three-year term unless the City Council initiates the replacement process.

The procedure hereinafter set forth for the nomination and appointment of commissioners applies to commissioners appointed after October 11, 2010, other than commissioners who are to be nominated by the Pitt County Board of Commissioners. Additionally, whenever a commissioner has completed a first three year term, the commissioner will be automatically appointed to a second three year term, without a nomination, unless City Council initiates the replacement process for the commissioner.

Nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Four, for the first appointment, Council Member, District Five, for the second appointment, the Mayor, for the third appointment, Council Member, At-large, for the fourth appointment, Council Member, District One, for the fifth appointment, Council Member, District Two, for the sixth appointment, Council Member, District Three, for the seventh appointment, and, thereafter, the rotation shall be repeated.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which has been appointed by City Council after October 11, 2010, the nomination of a

person to fill the unexpired term will be made by the Council Member or the Mayor who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy prior to the completion of a term of office in a commissioner position which was not appointed by City Council after October 11, 2010, the nomination will be made in accordance with the reverse order of the rotating basis set forth above and such nomination will complete the Council Member's or the Mayor's turn in the rotation for filling unexpired terms not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Historic Preservation Commission. The commission shall consist of ten members, the majority of whom shall have demonstrated special interest, experience, or education in history, architecture, and/or archaeology. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Housing Authority. The authority shall consist of seven commissioners. One commissioner shall be appointed by the Mayor and all other commissioners shall be appointed by City Council. No commissioner may be a city official. At least one of the commissioners shall be a person who is directly assisted by the public housing authority. The City Council shall appoint the person directly assisted by the authority unless the authority's rules require that the person be elected by other persons who are directly assisted by the authority. If the commissioner directly assisted by the public housing authority ceases to receive such assistance, the commissioner's office shall be abolished and another person who is directly assisted by the public housing authority shall be appointed by the City Council.

The procedure hereinafter set forth for the nomination and appointment of commissioners applies to commissioners appointed on or after June 30, 2009, (the effective date of Session Law 2009-211). Appointments will be made by City Council unless the appointment is required to be made by the Mayor to ensure that the authority has a commissioner appointed by the Mayor or unless the appointment to be made is the commissioner on the authority appointed as the commissioner who is directly assisted by the authority and the authority's rules require that the person appointed is elected by other persons directly assisted by the authority.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members on a rotating basis in the following order: Council Member, At-Large, for the first appointment, Council Member, District One, for the second appointment, Council Member, District Two, for the third appointment, Council Member, District Three, for the fourth appointment, Council Member, District Four, for the fifth appointment, Council Member, District Five, for the sixth appointment, and, thereafter, the rotation shall be repeated. City Council is not required to appoint the person nominated by a Council Member and may, but is not required to, request another nomination from the Council Member making the nomination in

the event the initial nominee is not appointed. In the event the person nominated by a Council Member is not appointed and another nomination from the Council Member making the nomination is not requested, any City Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

At all times, at least one (1) of the commissioners shall have been appointed by the Mayor. Therefore, the appointment by City Council will not occur until the next appointment whenever the appointment to be made is the only commissioner position on the authority who has been appointed by the Mayor. The Mayor shall make the appointment or reappointment in this event by filing with the City Clerk a certificate of appointment or reappointment.

At all times, at least one (1) of the commissioners shall be a person directly assisted by the authority. Therefore, the nomination by a Council Member and the appointment by City Council will not occur until the next appointment whenever the appointment to be made is the commissioner on the authority appointed as the commissioner who is directly assisted by the authority and the authority's rules require that the person appointed is elected by other persons directly assisted by the authority. City Council shall confirm the appointment of the person who is elected by other persons directly assisted by the authority after receipt of written notice of the election of this person from the authority whenever the authority's rules require that the person appointed as the person directly assisted by the authority is elected by other persons directly assisted by the authority. City Council shall make the confirmation of the appointment by a motion of appointment. In the event the authority's rules do not require that the person appointed as the commissioner directly assisted by the authority is elected by other persons who are directly assisted by the authority and the appointment to be made is the commissioner on the authority who is appointed as the commissioner directly assisted by the authority, the nomination by a Council Member on the rotating basis will not occur until the next appointment and, instead of a nomination, a recommendation from the authority will be sought. City Council is not required to appoint the person recommended by the authority and may, but is not required to, request another recommendation from the authority in the event the initial recommended person is not appointed. In the event the person recommended by the authority is not appointed and another recommendation from the authority is not requested, any Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which has been appointed by City Council, the nomination of a person to fill the unexpired term will be made by the Council Member who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy in a commissioner position which was not appointed by City Council and which is not either the required Mayor appointment or person directly assisted by the authority appointment, the nomination will be made in accordance with the reverse order of the rotating basis set forth above and such nomination will complete the Council Member's turn in the rotation for filling unexpired terms not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member and may, but is not required to, request another nomination from the Council Member making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member is not appointed and another nomination from the Council Member making the nomination is not requested, any City

Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which is either the required Mayor appointment or the person directly assisted by the authority appointment, the procedure to appoint and recommend or elect shall be the same as the procedure to appoint and recommend or elect a person for a full term.

Human Relations Council. The 18-member council shall consist of fifteen citizens, one East Carolina University student, one Shaw University student, and one Pitt Community College student. The fifteen citizens shall reside within the corporate limits of the city. The three students shall reside within the corporate limits of the city during the school year. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Multimodal Transportation Commission. The commission shall consist of seven members, all of whom shall be citizens and residents of the city. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Neighborhood Advisory Board. The Neighborhood Advisory Board shall consist of ten regular board members with two regular board members being elected from each of the five districts from which Council Members are elected and five alternate board members with one alternate board member being elected from each of the five districts from which Council Members are elected. Each neighborhood association shall appoint a liaison member to the Neighborhood Advisory Board and an alternate liaison member shall serve at the pleasure of the neighborhood association. The alternate liaison member, while attending a meeting of the liaison members or of the Neighborhood Advisory Board in the absence of the liaison member from the same neighborhood association, may serve as the liaison member and shall have and may exercise the powers of the liaison member.

The liaison members of the Neighborhood Advisory Board shall elect, at the initial meeting of the liaison members and annually thereafter, at a meeting of the liaison members established by the Neighborhood Advisory Board for that purpose, ten board members of the Neighborhood Advisory Board with two board members being elected from each of the five districts from which Council Members are elected. The liaison members of the Neighborhood Advisory Board who represent neighborhood associations of neighborhoods located primarily within a district from which a Council Member is elected shall only be eligible to vote for board members for said district. The board members of the Neighborhood Advisory Board elected from a district from which a Council Member is elected must be a liaison member for a neighborhood association of a neighborhood located primarily within said district. For the purpose of determining eligibility to vote and to serve as a board member, a neighborhood is located primarily within the district if the majority of the residences in the neighborhood served by the neighborhood association are located within said district.

The Neighborhood Liaison/Ombudsman shall serve as an ex-officio, non-voting member of the Neighborhood Advisory Board. The Liaison Members of the Neighborhood Advisory Board shall consist of the liaison members appointed by each neighborhood association. In addition to electing the board members of the Neighborhood Advisory Board, the liaison members shall offer feedback to the board members of the Neighborhood Advisory Board at least twice each year at a meeting of the Neighborhood Advisory Board.

Pitt-Greenville Airport Authority. The authority shall have eight members, four appointed by the City Council and four appointed by the Pitt County Commissioners. The City Council and Pitt County Commissioner liaisons shall serve as voting members of the authority. City members shall be appointed by the City Council in accordance with this policy. Appointment letters shall be sent by the City Clerk's Office for City Members. County members shall be appointed by the County Commissioners and appointment letters for those members sent by the County Clerk's Office. A copy of the letter shall be forwarded to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Authority members applies to authority members appointed after October 11, 2010, other than Authority members who are to be appointed by the Pitt County Board of Commissions. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Three, for the first appointment, Council Member, District Four, for the second appointment, Council Member, District Five, for the third appointment, the Mayor, for the fourth appointment, Council Member, At-large, for the fifth appointment, Council Member, District One, for the sixth appointment, Council Member, District Two, for the seventh appointment, and, thereafter, the rotation shall be repeated.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in an Authority member position which has been appointed by City Council after October 11, 2010, the nomination of a person to fill the unexpired term will be made by the Council Member or the Mayor who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy prior to the completion of the term of office in a commissioner position which was not appointed by City Council after October 11, 2010, the nomination will be made in accordance with the reverse order of the rotation set forth above and such nomination will complete the Council Member's or the Mayor's turn in the rotation for filling unexpired terms

not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Pitt-Greenville Convention and Visitors Authority. The authority shall have eleven members as follows: Four owners or operators of hotels, motels, or other taxable accommodations, two of whom shall be appointed by the Pitt County Board of Commissioners and two of whom shall be appointed by the City Council; two individuals who are directly involved in a tourist or convention-related business but do not own or operate a hotel, motel, or other taxable accommodation, one appointed by the Board of Commissioners and one appointed by the City Council; two residents of Greenville, appointed by the City Council, and two residents of Pitt County but not of Greenville, appointed by the Pitt County Board of Commissioners, none of whom is involved in a tourist or convention-related business or owns or operates a hotel, motel, or other taxable accommodation; and one individual who is a member of the Pitt-Greenville Chamber of Commerce, appointed by the Chairman of the Board of Directors of the Pitt-Greenville Chamber of Commerce. City members of the Convention and Visitors Authority Board shall be appointed by the City Council. Appointment letters shall be sent by the City Clerk's Office for the City appointments. The City Council shall also make a nomination to the County on five of the members, and appointment of County members shall be made by the Pitt County Commissioners based on the nominations of City Council. The Board of Commissioners has the right to reject any nominee from the City Council and request additional nominees. If the City Council fails to recommend a nominee to the County within sixty days after a written request for nominees is sent by the County to the City, then the Board of Commissioners may appoint any individual meeting the eligibility requirements of the Enabling Legislation. The County Clerk shall be responsible for sending out appointment letters for County members. The Chamber of Commerce shall appoint one of its members and is responsible for sending out the appointment letter for that appointment and sending a copy of the letter to the City Clerk's Office, at which time the records are updated.

Planning and Zoning Commission. The commission shall be composed of nine regular members and three alternate members. Appointments of members appointed by City Council shall be made to promote the representation of a variety of interests. This representation should include some members with environmental, neighborhood preservation, development and business interests. Seven regular City members and two alternate members shall reside within the corporate limits of the City and shall be appointed by the City Council. Appointment letters shall be sent from the City Clerk's Office for the City appointments. The County Commissioners shall appoint two regular County members and one alternate member. The appointment letter for County appointees shall be sent from the County Clerk's Office. A copy of the appointment/reappointment letters shall be sent to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Planning and Zoning Commission members applies to commission members appointed after October 11, 2010, other than Planning and Zoning Commission members who are to be appointed by the Pitt County Board of Commissioners. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Two, for the first appointment, Council Member, District Three, for the second appointment, Council Member, District Four, for the third appointment, Council Member, District Five, for the fourth appointment, the Mayor, Council Member, At-large, for the sixth appointment, and Council Member, District One, for the seventh appointment

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Prior to City Council making an appointment as a result of a nomination, the elevation of alternate members in accordance with the Alternate Members section of this policy shall occur. In the event the term of an alternate member position is expiring and the person holding this alternate member position remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the person holding this alternate member position will be automatically reappointed without the necessity of a nomination and the City Council shall make the reappointment by a motion of appointment.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four

will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe. In the event any of the appointments will result in a new person being appointed as a regular member after the elevation of alternate members in accordance with the Alternate Members section of this policy, the regular member positions to be filled will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions. In a similar manner, the highest ranked alternate positions will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position on the Commission held by the person who was nominated by the elected official will thereafter be assigned for nomination by the same elected official who made the initial nomination of that person. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for a position on the Commission held by the person who was nominated by Council Member, District One again, due to the expiration of the term or a vacancy in the position on the Commission held by the person who was nominated by Council Member, District One, the nomination for that position will be made by Council Member, District One.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for either position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Police Community Relations Committee. The committee shall be composed of seven members (one from each district, one at-large and one appointed by the Mayor). Members are appointed directly by the Mayor and individual Council Members. Members should not hold any elected office.

Recreation and Parks Commission. The commission shall be composed of nine members, all of whom shall be residents of the City. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

The procedure hereinafter set forth for the nomination and appointment of commission members applies to commission members appointed after October 11, 2010.

Nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District One, for the first appointment, Council Member, District Two, for the second appointment, Council Member, District Three, for the third appointment, Council Member, District Four, for the fourth appointment, Council Member, District Five, for the fifth appointment, the Mayor, for the sixth appointment, and, Council Member, At-large, for the seventh appointment.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position will thereafter be assigned for nomination by the same elected official who made the initial nomination for that position. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for that position again, due to the expiration of the term or a vacancy, Council Member, District One, will make the nomination for that position.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for either position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Sheppard Memorial Library Board of Trustees. The Sheppard Memorial Library Board of Trustees shall consist of at least nine but no more than eleven Trustees, appointed as follows:

- (1) No more than six Trustees appointed by the City Council, who shall be residents of the City.
- (2) No more than three Trustees appointed by the Pitt County Board of Commissioners, who shall be residents of Pitt County.
- (3) One Trustee appointed by the governing body of the Town of Winterville, who shall be a resident of the Town of Winterville.
- (4) One Trustee appointed by the governing body of the Town of Bethel, who shall be a resident of the Town of Bethel.

Trustees shall be appointed in accordance with this policy. Both the City Council and the Pitt County Board of Commissioners may in their discretion each appoint one of their own members as an ex-officio non-voting Liaison to the Board of Trustees to serve in an advisory capacity. Appointment/reappointment letters for City-appointed Trustees shall be sent from the City Clerk's Office. Appointment/reappointment letters for County-appointed Trustees shall be sent from the County Clerk's Office with a copy provided to the City Clerk's Office. Appointment/reappointment letters for the Town of Winterville-appointed Trustee and the Town of Bethel-appointed Trustee shall be sent from each Town's Clerk's Office with a copy provided to the City Clerk's Office.

Youth Council. The Greenville Youth Council shall be composed of twenty members as follows: fifteen representatives from each of the Pitt County public high schools and five representatives from private schools, charter schools and home schools located in Pitt County. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

When an appointment is to be made by City Council on a particular board or commission, the City Council liaison shall contact the City Clerk's Office by noon on the Monday prior to the Thursday City Council meeting with a name of the person to be recommended for appointment. (Exceptions to this are (1) the Police Community Relations Committee, to which the Mayor and City Council Members each make individual appointments without a vote of City Council, (2) the Housing Authority, to which either, in accordance with the procedure set forth in the Housing Authority section above, the Mayor makes the appointment or City Council appoints commissioners after receipt of a nomination from Council Members on a rotating basis or City

Council appoints a commissioner after receipt of a recommendation from the Housing Authority or City Council confirms the appointment of a commissioner who is elected by other persons directly assisted by the Housing Authority and (3) the Redevelopment Commission, to which the Mayor and each Council Member make a nomination for the individual members so that the Commission consists of members appointed by City Council after receipt of a nomination by either the Mayor or a Council Member.) If a talent bank form is not on file for the individual, the City Council Member shall be responsible for providing one to the City Clerk prior to that time. The City Clerk's Office shall be responsible for providing a copy of the talent bank form to all City Council Members at the Monday night meeting so that a recommendation can be made by the City Council liaison for appointment on Thursday night. Talent bank forms shall be provided to City Council on Monday night and the recommendation discussed, giving other City Council Members an opportunity for comment on the recommendation. A consensus on appointees shall be made at the Monday meeting. If written information is unavailable to be presented at the Monday night meeting, the City Council liaison shall provide a copy of the talent bank form to the City Clerk's Office by Wednesday at noon to be submitted to Council in the Wednesday Notes to Council. Official action on appointments shall be taken at the Thursday Council meeting held during the month in which the appointment is due, unless a recommendation has not been selected, at which time the appointment shall be continued to the following month.

Appointment to a Board at the Conclusion of Service on a Board

When a citizen completes at least one full term on a board or commission, that person shall be eligible to serve on another as a City member at the completion of the term. However, a one-year waiting period is required in order to serve on the same board or commission.

Alternate Members

On certain boards and commissions, members shall originally be appointed as Alternate Members in order to provide a learning period unless there are more vacancies on the Board than the number of alternate slots for the Board at the time of appointment. The alternates vote only when a regular member is absent or unable to vote. City alternates shall be provided for various boards as follows:

Affordable Housing Loan Committee	Alternate
Board of Adjustment	Alternate Nos. 1, 2 and 3
Planning and Zoning Commission	Alternate Nos. 1 and 2

Alternates shall move up in rank or to a regular member slot as vacancies become available on the board and in accordance with the following rotation. In the instance of only one alternate, when a vacancy becomes available to replace a regular member who is ineligible for reappointment or is not reappointed, the alternate shall move up and a new alternate member appointed. In the instance of two alternates, when a vacancy becomes available to replace a regular member who is ineligible for reappointment or is not reappointed, Alternate #1 shall be elevated to a regular member, Alternate #2 shall be elevated to Alternate #1, and a new Alternate #2 appointed. In the instance of three alternates, when a vacancy becomes available to replace a

regular member who is ineligible for reappointment or is not reappointed, Alternate #1 shall be elevated to a regular member, Alternate #2 shall be elevated to Alternate #1, Alternate #3 shall be elevated to Alternate #2, and a new Alternate #3 appointed. In the event that there are two elevations at one time, the Alternate members shall move in the order in which they would have normally been elevated.

Reappointments

Persons serving on City boards and commissions having a term of more than three years shall be ineligible for consideration for reappointment. Persons serving on City boards and commissions having a term of three years or less shall be eligible for consideration for reappointment to a second term, but shall be ineligible for a third term. Persons serving unexpired terms on any City board or commission shall be eligible for consideration for appointment to a full term. On joint City and County boards, such as the Pitt-Greenville Airport Authority and the Sheppard Memorial Library Board of Trustees, City appointees may be reappointed to a second term. The purpose of this exception is to create the same reappointment policy for City appointees as that of the County on joint City/County boards; this policy shall be reviewed if the County of Pitt amends the County appointment policy with regard to joint City/County boards. On the Firefighter's Relief Fund Committee, City Council appointees may be reappointed without a limit on the number of terms. The purpose of this exception is to create the same reappointment policy for City Council appointees and those elected or appointed by others in accordance with statutory provisions. On the Housing Authority, City Council appointees may be reappointed to a second term.

Holdover Beyond Term

Upon the expiration of the term of office of a member of a board or commission, the member shall continue to serve until a successor is appointed and, if an oath is also required to be taken, takes the required oath. The holdover service of the member eligible to be reappointed for another term shall be considered to be a part of the member's service for the next term.

Nominations for Extended Vacancies

In the event there is a vacancy on a City board or commission which has been on the City Council agenda for appointment by City Council for more than three (3) calendar months in which a regular City Council meeting has been held, then any Council Member may make a nomination to fill the vacancy without regard to any other provision relating to who has the authority to make the nomination. If there are more than one nomination, the appointment shall be conducted in accordance with the procedure for nominations and elections in Robert's Rules of Order.

Resignation of Board or Commission Members Elected to Public Office

Members of City boards or commissions who are elected as Mayor or as a City Council Member shall submit a resignation from the board or commission prior to becoming installed as an elected official.

Service of a Full-Time Employee on a Board or Commission

A full-time employee of the City of Greenville shall not be eligible to serve on a city authority, board, commission or committee as an appointee of the Mayor, City Council or a Council Member. If such a member becomes a full-time employee of the City of Greenville, that shall constitute a resignation from the authority, board, commission or committee upon which he serves, effective upon the date a replacement is appointed. The prohibition established herein shall not apply to any current full-time City employee who is currently serving on an authority, board, commission or committee for so long as said employee serves on the same body until the completion of the current term. The prohibition established herein shall not apply to service resulting from being an ex-officio member.

Serving on Two Boards Simultaneously

With the exception of ad hoc committees, task forces, or other like groups created by the City Council for a specified length of time and for a specified purpose, individuals shall not serve on more than one city board or commission as a City Council appointment at the same time. A citizen may resign from a City board or commission in order to serve on another City board or commission. The citizen may be appointed to the new board or commission prior to submitting a resignation from the current board or commission but must submit the resignation from the current board or commission prior to commencing service on the new board or commission.

Individuals shall not hold more than two appointive offices or more than one appointive office and an elective office concurrently in violation of North Carolina General Statute 128-1.1.

Designation of Liaisons and their Roles and Responsibilities

Designation. The Mayor shall designate City Council Members and the Mayor as liaisons to boards and commissions whose members are appointed by the City. Prior to the designation of the liaisons, the Mayor shall ask Council Members to which boards and commissions they prefer to be designated as liaison. The Council Members shall be provided an opportunity to discuss their choices with the Mayor.

Length of Designation. The liaisons shall serve until the end of their elected two-year term as a City Council Member or the Mayor.

Roles of the Liaisons. The liaison is a communication link between the City Council and the appointed board or commission. The liaison role is not to regularly and actively discuss subjects on the agenda with the board or commission members, but to offer insight into overall City goals and policies that have been adopted by the City Council as it may relate to an issue being considered by the board or commission. The liaison, from time to time as appropriate, shall inform City Council of major activities of the board or commission.

Attendance. The attendance at board or commission meetings is at the discretion of the liaison. While attendance at every meeting is not required, attendance sufficient to understand the subjects before the board or commission is important.

Voting. The liaison is not a voting member of the board or commission and may not make motions at a meeting of the board or commission. The exception to this is the Pitt-Greenville Airport Authority where the liaison is a voting member and should participate as a full member.

Appointments. The liaison is to review the applications in the talent bank for vacancies on the board or commission and to make nominations of persons to City Council to fill the vacancies. The exception to this is Housing Authority, the Police Community Relations Committee, the Redevelopment Commission, Board of Adjustment, Greenville Utilities Commission, Pitt-Greenville Airport Authority, Planning and Zoning Commission and Recreation and Parks Commission.

City Council is not required to appoint the person nominated by the liaison and may, but is not required to, request another nomination from the liaison making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a liaison is not appointed and another nomination from the liaison making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Attendance of Members

All appointed members of the various boards and commissions are expected to attend all regular meetings. Whenever a member of any board or commission has missed two or more consecutive regular meetings or fails to attend seventy-five percent of all regularly scheduled meetings in a one year period commencing annually on the month immediately after the month which City Council is regularly scheduled to make an appointment for that board or commission as a result of an expired term, the staff liaison to the board or commission shall notify the City Clerk of the member's attendance record. If a regularly scheduled meeting is cancelled due to a lack of a quorum, a member will be considered as failing to attend the meeting if the member's failure to attend or failure to indicate an intent to attend the meeting contributes to the lack of a quorum. The City Clerk's Office shall send a letter and an email to the member asking to be notified about the person's ability to attend future meetings. A copy of the letter and email shall be sent to the City Council liaison. If, within 15 work days after the date the letter is mailed and the email is sent, the member responds that he desires to continue serving and will attend future meetings on a regular basis, the City Clerk's Office will notify the City Council liaison, and the attendance will be monitored for the next two regularly scheduled meetings as a probationary period. If the attendance requirements are still not met during the two regularly scheduled meeting probationary period or during the six month period after the two month probationary period or if the person either fails to respond to the letter within 15 work days after the date the letter is mailed and the email is sent, or indicates that he is unable or unwilling to attend, the City Council liaison will be notified by the City Clerk's Office and the vacancy placed on the next possible City Council agenda for replacement or other appropriate action. The appointment shall be for the duration of the unexpired term of the member whose position has been vacated.

Acknowledgement of Attendance Requirement

Persons appointed to a board or commission shall be provided a copy of the attendance requirement and sign a form provided by the City which acknowledges the understanding of the attendance requirement.

Quorum Issues

In the event a board or commission has failed to have two (2) consecutive regularly scheduled meetings due to a lack of a quorum or has failed to have at least fifty percent of its regularly scheduled meetings in a calendar year due to a lack of a quorum, City Council shall be notified. The City employee providing support to the board or commission shall notify the City Manager and City Clerk of this failure. The City Clerk will then notify City Council of the failure electronically. Any member of Council may place the issue for discussion or action in accordance with the Policy on Mayor and Council Members Adding an Agenda Item approved by City Council. If placed on a City Council agenda, City Council will consider whether the board or commission should continue or be eliminated, whether the membership of the board or commission should be reduced, whether the quorum for the board of commission should be reduced, and whether alternate members should be appointed to the board or commission.

Recommendations to City Council

When a board or commission makes a recommendation or comment to City Council, City Council shall be provided the recommendation or comment. The recommendation or comment shall be approved by an action of the board or commission. The recommendation or comment shall be sent to the City Manager and City Clerk by the City employee providing staff support to the board or commission. The City Clerk will forward the recommendation or comment to City Council electronically. Any member of City Council may place the recommendation or comment on a City Council agenda for discussion or action in accordance with the Policy on Mayor and Council Members Adding an Agenda Item approved by City Council.

The following are not subject to this procedure:

- (i) Recommendations from a board or commission in response to a request for a recommendation from City Council,
- (ii) Recommendations from the Planning and Zoning Commission, Recreation and Parks Commission, and Affordable Housing Loan Committee requiring a public hearing by City Council, and
- (iii) Recommendations from the Greenville Utilities Commission, Redevelopment Commission and Airport Authority.

These items will be placed on a City Council agenda by the City Manager in accordance with standard agenda preparation procedures.

Electronic Participation in Meetings

A board or commission may allow a member to participate in a meeting electronically. However, a member who is not physically present at the meeting shall not be counted as present for the purpose of establishing a quorum or for the purpose of compliance with the attendance requirement of this Policy and shall not vote on any matter before the board or commission.

This provision shall not apply to the Greenville Utilities Commission, Airport Authority, the Sheppard Memorial Library Board of Trustees, and Housing Authority and these boards or commissions may establish their own policy relating to electronic participation in meetings.

Minutes

Minutes shall be prepared for each meeting of a board or commission. The minutes for a regular meeting shall be scheduled for approval by the board or commission at its next regular meeting. The minutes for a special meeting shall be scheduled for approval by the board or commission no later than the next regular meeting held thirty days after the special meeting. The approved minutes shall be posted on the City's website no later than seven calendar days after approval.

Annual Presentation to Council

Boards or commissions will make an annual presentation to City Council. The City Clerk shall coordinate the scheduling of the date for the presentation. The presentation shall provide information on the activities and accomplishments during the past year and the goals and activities for the upcoming year. The goals and activities for the upcoming year shall support approved City Council goals, programs, and projects. The presentation shall comply with the Greenville City Council Policy on Time Limitations at City Council Meetings adopted at City Council.

Validity or Legality of Appointment Not Impacted

Failure to observe any requirement of this policy shall not affect the validity or legality of any appointment.

This policy was adopted by the Greenville City Council on October 11, 2010, and amended on the following dates:

- June 12, 2014
- August 15, 2016
- October 9, 2017.
- Readopted on February 11, 2019 and made retroactive to and effective on September 1, 2018.
- May 11, 2023





City of Greenville, North Carolina

Meeting Date: 05/08/2023

<u>Title of Item:</u>	Resolution and Water Line Easement and Access Easement for Greenville Utilities Commission to provide water service to Fire-Rescue Station 7
<u>Explanation:</u>	The City desires to provide water service to the new Fire-Rescue Station 7 at 4170 Bayswater Road, parcel #82543, and GUC's service facilities extend beyond the public road right-of-way. As such, GUC requests that the City grant water line easement and access easement over the service facilities on a certain portion of parcel number 82543.
<u>Fiscal Note:</u>	No costs to the City.
<u>Recommendation:</u>	Approve resolution and grant water line easement and access easement for ingress, egress and regress for parcel number 82543

ATTACHMENTS

-  [Resolution Authorizing Acquisition of Water Line Easement for Fire-Rescue Building - Bayswater Road \(Tax PN 82543\).pdf](#)
-  [Water Line Easement PN 82543 - City of Greenville.pdf](#)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING GRANTING OF A WATER LINE EASEMENT
FOR THE USE OF THE GREENVILLE UTILITIES COMMISSION

WHEREAS, the City of Greenville, North Carolina ("City"), desires to provide water service to the City's new Fire-Rescue building on Bayswater Road and Greenville Utilities Commission's ("GUC") service facilities extend beyond the public road right of way; and

WHEREAS, in response, GUC requests the City to grant a Water Line Easement over the service facilities on a certain portion of the property owned by the City (as described below); and

WHEREAS, N.C.G.S. 160A-273 authorizes the City to grant an easement across city property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, as follows:

Section 1. That the City Council of the City does hereby approve the granting of a Water Line Easement for the use and benefit of GUC upon a 461 square foot area on the property owned by the City (the "Property") and described in Deed Book 3892 at Page 681, Pitt County Public Registry, and Tax Parcel No. 82543, located on Bayswater Road. The area of the Water Line Easement is shown on a map labeled "Easement Survey for City of Greenville Fire", a copy of which is attached hereto as Exhibit A.

Section 2. That the Mayor or City Manager is hereby authorized to execute the appropriate instruments necessary to grant the Water Line Easement on the Property for the benefit of GUC.

Section 3. This Resolution shall take effect immediately upon its adoption.

This the _____ day of _____, 2023.

CITY OF GREENVILLE

By: _____
P.J. CONNELLY, MAYOR

ATTEST:

VALERIE P. SHIUWEGAR, CITY CLERK

[SEAL]

A meeting of the City Council of the City of Greenville, North Carolina, was held on _____, 2023.

Present: _____

Absent: _____

Also Present: _____

After consideration of the foregoing Resolution, Council member _____, moved for the passage thereof, which motion was duly seconded by Council member _____, and the foregoing Resolution was passed by the following vote:

Ayes: _____

Noes: _____

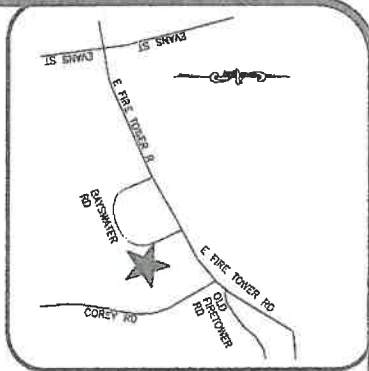
* * * * *

I, Valerie Shiuwegar, City Clerk of the City of Greenville, North Carolina, DO HEREBY CERTIFY that the foregoing accurately reflects the proceedings as recorded in the minutes of the City Council of said City at a meeting held on the _____ day of _____, 2023 and contains the verbatim text of Resolution No. _____ which was duly adopted by said City Council at said meeting.

WITNESS my hand and the official seal of said City, this _____ day of _____, 2023.

City Clerk

[SEAL]



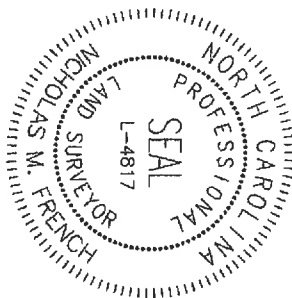
VICINITY MAP (NTS)

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY DONE UNDER MY SUPERVISION, AND THAT THE ERROR OF CLOSURE AS COMPUTED BY CO-ORDINATES IS LESS THAN 1:10,000; AND THAT THE VERTICAL ERROR OF CLOSURE IS CONSISTENT WITH A CLASS "A" TOPOGRAPHIC SURVEY.

NICHOLAS M. FRENCH, PLS L-4817 DATE

N/E

LASSITER REAL ESTATE
INVESTMENTS LLC
P/N: 468-650-6647
D.B. 3314, PG. 522



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	660.00'	66.27'	66.24'	N 27°07'03" E	5°45'09"
C2	660.00'	14.97'	14.97'	N 23°23'14" E	1°18'00"
C3	660.00'	137.34'	137.09'	N 18°46'37" E	1°15'55"
C4	660.00'	46.81'	46.67'	N 56°40'57" W	1°52'45"
C5	263.65'	82.07'	81.74'	N 40°03'27" W	1°50'10"
C6	91.70'	65.52'	64.13'	S 51°36'30" E	40°56'15"
C7	106.70'	75.21'	73.66'	S 51°19'58" W	40°23'11"
C8	248.65'	77.40'	77.09'	N 40°03'27" W	1°50'10"
C9	159.00'	42.77'	42.65'	S 56°40'57" E	1°52'45"

CURVE TABLE

LINE	BEARING	DISTANCE
LEA1	N 09°26'13" E	6.30'
LEA2	S 79°01'03" E	19.48'
LEA3	S 10°58'57" W	36.89'
LEA4	N 76°32'01" W	10.01'
LEA5	N 10°58'57" E	26.46'
LEA6	N 79°01'03" W	9.21'

EASEMENT LINE TABLE (EA)

EASEMENT ENLARGEMENT

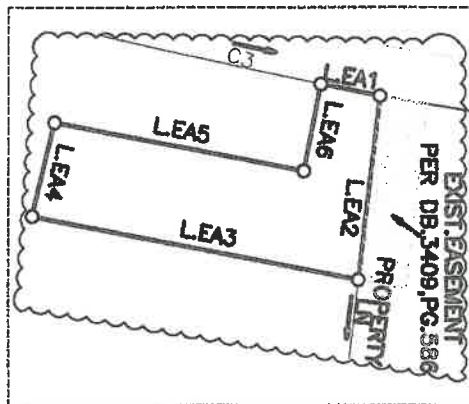
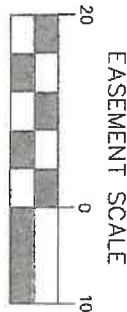


EXHIBIT A



EASEMENT SCALE

LINE	BEARING	DISTANCE
LE1	N 29°34'38" E	9.60'
LE2	S 64°23'23" E	36.07'
LE3	N 80°01'14" E	69.24'
LE4	N 29°42'48" E	42.81'
LE5	S 60°06'52" E	30.00'
LE6	S 29°53'03" W	60.00'
LE7	N 60°06'52" W	28.10'
LE8	S 78°23'46" W	85.03'
LE9	S 29°53'08" W	9.27'
LE10	N 27°39'57" E	14.45'
LE11	N 64°23'23" W	35.49'

EASEMENT LINE TABLE (E)

LINE	BEARING	DISTANCE
LB1	N 29°53'03" E	60.00'
LB2	S 60°07'36" E	59.99'
LB3	S 29°54'47" W	60.02'
LB4	N 60°06'16" W	59.96'

BOUNDARY LINE TABLE (B)

EASEMENT SURVEY

FOR

CITY OF GREENVILLE FIRE

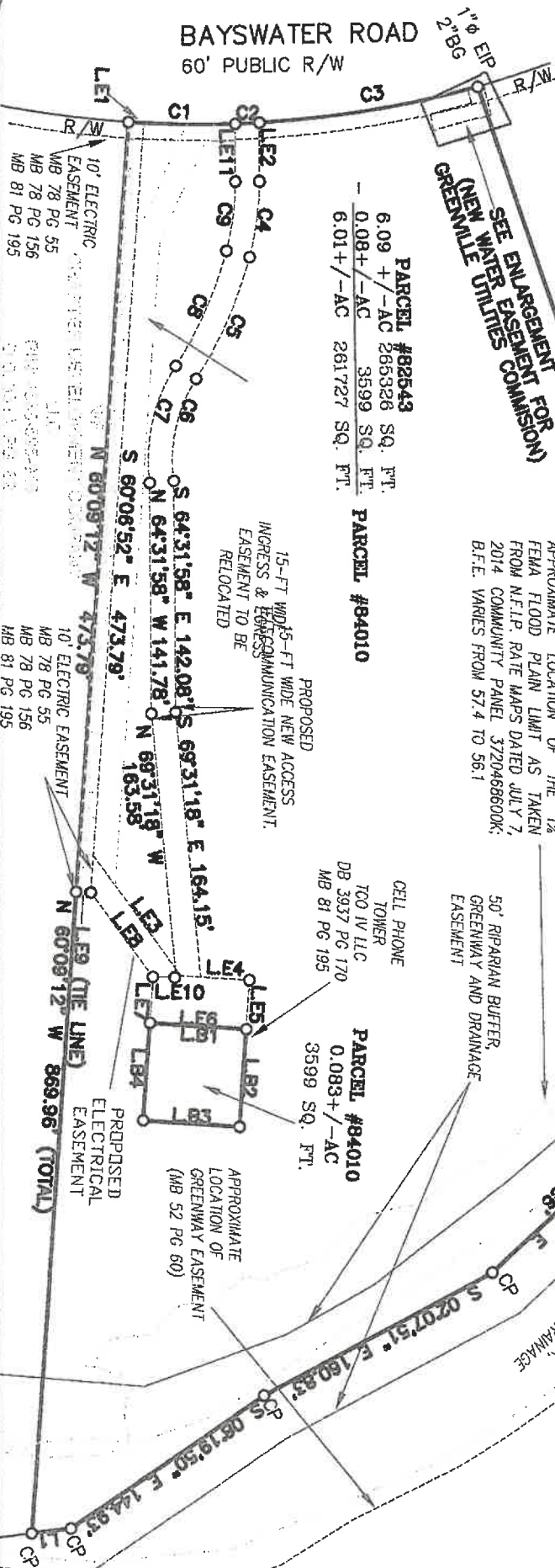
BEING OVER AND UPON LOT 4C, BLOCK "B", FIRE TOWER JUNCTION, AS RECORDED IN MAP BOOK 78, PAGE 156, AND DEED BOOK 3892, PAGE 681.

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NC
ADDRESS: 4176 BAYSWATER ROAD, WINTERVILLE, NC 28590



ECLS
GLOBAL, INC.
U.S. VETERAN-OWNED
19 N MCKINLEY ST
COATS, NC 27521
910.897.3257 ECLSGLOBALINC.COM
910.897.2329 (FAX) DD#C-4171

BAYSWATER ROAD
60' PUBLIC R/W



PARCEL #82543
6.09 +/- AC 265328 SQ. FT.
0.08 +/- AC 3599 SQ. FT.
6.01 +/- AC 261727 SQ. FT.

PARCEL #84010

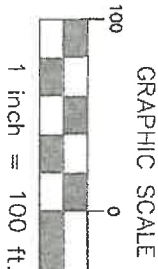
APPROXIMATE LOCATION OF THE 1%
FEMA FLOOD PLAIN LIMIT AS TAKEN
FROM N.E.I.P. RATE MAPS DATED JULY 7,
2014 COMMUNITY PANEL 3720468600K;
B.F.E. VARIES FROM 57.4 TO 56.1

50' RIPARIAN BUFFER,
GREENWAY AND DRAINAGE
EASEMENT

15-FT WIDE NEW ACCESS
INGRESS & EGRESS
EASEMENT TO BE
RELOCATED

CELL PHONE
TOWER
TCO IV LLC
DB 3937 PG 170
MB 81 PG 195
PARCEL #84010
0.083 +/- AC
3599 SQ. FT.

APPROXIMATE
LOCATION OF
GREENWAY EASEMENT
(MB 52 PG 60)



GRAPHIC SCALE

N/E
FLEMING J RUSSELL
P/N: 468-669-1704
D.B. 821, PG. 467

PROJECT: L2-21-130

SURVEY BY: ANTONY .R

DRAWN BY: YONATHAN. S

SCALE: VARIES

DATE: 03/14/2023

ECLS

Prepared by: Phillip R. Dixon, Attorney
File: Greenville Utilities Commission
Post Office Box 1847
Greenville, NC 27835

PN 82543

NORTH CAROLINA
PITT COUNTY

GRANT OF WATER LINE
EASEMENT AND ACCESS EASEMENT
FOR INGRESS, EGRESS, AND REGRESS
DATE _____

KNOW ALL MEN BY THESE PRESENTS, that the undersigned "GRANTOR" (whether one or more), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to it in hand paid by GREENVILLE UTILITIES COMMISSION of the City of Greenville, Pitt County, North Carolina, 401 South Greene Street (PO Box 1847), Greenville, NC 27835-1847, hereinafter referred to as the "COMMISSION," the receipt of which is hereby acknowledged, does hereby grant the City of Greenville, a body politic and corporate in Pitt County, North Carolina, for the use and benefit of the "COMMISSION," its licensees, successors and assigns, the right, privilege and easement to go in, through, under, and upon lands of the GRANTOR located in Winterville Township, Pitt County, North Carolina, and more fully described as follows:

A Permanent Water Line Easement ten feet (10') in width, more or less, and thirty-seven feet (37') in length, more or less, across a portion of Tax Parcel No. 82543 (according to the records in the Office of the Tax Administration of Pitt County, North Carolina), said property described in Deed Book 3892 at Page 681 and Map Book 78 at Page 156, Pitt County Public Registry, and described as follows:

Beginning at an Existing Iron Pipe (EIP) located in the grantors southeast property corner common with property now or formerly owned by Lassiter Real Estate Investments, Tax Parcel No. 82302, and the existing west right of way line of Bayswater Road (60' R/W Public); running thence from the Point of Beginning, N 79°01'03" W 19.48', more or less (LEA2), to a point; cornering, thence N 10°58'57" E 36.89', more or less (LEA3), to a point; cornering, thence S 76°32'01" E 10.01', more or less (LEA4), to a point; cornering, thence S 10°58'57" W 26.46', more or less (LEA5), to a point; cornering, thence S 79°01'03" E 9.21', more or less (LEA6), to a point; cornering, thence S 09°26'13" W 6.30', more or less (LEA1), to a point, the Point of Beginning, containing 461 sq. ft., more or less, all as shown on that certain plat entitled "EASEMENT SURVEY FOR CITY OF GREENVILLE FIRE BEING OVER AND UPON LOT 4C, BLOCK "B", FIRE TOWER JUNCTION, AS RECORDED IN MAP BOOK 78, PAGE 156, AND DEED BOOK 3892, PAGE 681, GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NC ADDRESS: 4176 BAYSWATER ROAD, WINTERVILLE, NC 28590" dated March 14, 2023, prepared by Nicholas M. French, PLS License No. L-4817, ECLS Global, Inc., U.S. Veteran-Owned, 19 N. McKinley St. Coats, NC 27521, License No. C-4175, telephone no. (910) 897-3257, fax no. (910) 897-2329, denominated Project: I2-21-138, which is marked Exhibit "A" and is attached hereto and made a part hereof, and to which reference is hereby made for a more particular and accurate description of the subject easement.

And to construct, install, operate and maintain a water line easement in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by

the Commission a permanent easement and a temporary construction easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (a) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;
- (b) the right and privilege to enter upon the land included in the construction easement hereinabove described for the purpose of constructing said utility facilities, and the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (c) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings, domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;
- (d) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

The structures and appurtenant facilities installed by the Commission shall be and remain the property of the Commission and may be removed by it at any time and from time to time.

Grantor reserves the right to use the lands in and over which the right of way and easement rights are hereby granted for all purposes not inconsistent with said right of way and easement rights, except that Grantor agrees that (1) no buildings or permanent structures, wells, septic tanks, absorption pits, underground or overhead storage tanks, burial plots, or any other obstruction which might interfere with the construction, maintenance and operation of said utility facilities shall be placed within the area of said strip without the express written permission of the Commission; and (2) the Commission's facilities shall in no way be interfered with or endangered by the Grantor or Grantor's licensees, successors or assigns, without the express written permission of the Commission.

The Commission agrees that it will repair, rebuild, replace or pay the actual damages sustained as mutually agreed upon by the Commission and Grantor, and pay the actual damages to actual crops inside said right of way strip on the above land caused by the construction, operation, maintenance, inspection, rebuilding and removal of said lines, and in going to and from said right of way strip, and will repair any extraordinary damage to any bridge or to any road due to heavy hauling to and from the said right of way strip if claim is made within a period of thirty (30) days after such damages are sustained by Grantor.

Any notice to be given by one party to the other party hereunder may be delivered or deposited postage prepaid addressed to the following:

Grantor: City of Greenville, North Carolina
P.O. Box 7207
Greenville, North Carolina 27835

Commission: Greenville Utilities Commission
401 S. Greene Street
P.O. Box 1847
Greenville, North Carolina 27835

TO HAVE AND TO HOLD the aforesaid rights, privileges and construction easement unto the Grantee for such period of time as may be required to complete the construction of said utility facilities, and thereafter a permanent easement unto the Grantee and its successors, licensees and assigns for the uses and purposes hereinabove set forth.

And Grantor, for the Grantor and for the Grantor's heirs, executors, administrators, licensees, successors and assigns, covenants to and with the Commission, its licensees, successors and assigns, that Grantor is lawfully seized of the above described land in fee and has the right to convey the said rights, easements and privileges herein described; that the same is free and clear from any and all encumbrances not satisfactory to the Commission; that the Commission shall have quiet and peaceful possession, use and enjoyment of the aforescribed easement of right of way, rights and privileges; that the Grantor shall execute such further assurances thereof as may be required by the Commission; and Grantor will forever warrant and defend the title to the said easement of right of way, rights and privileges against the lawful claims of all persons whomsoever.

The singular shall include the plural and reference to gender shall include masculine, feminine and neuter.

IN WITNESS WHEREOF, the parties have caused these presents to be signed in its corporate name by its duly authorized corporate officers, duly attested and its corporate seal hereunto affixed, all by authority of its Board of Directors duly given, this the day and year first above written.

CITY OF GREENVILLE, NORTH CAROLINA

By: _____
P.J. Connelly, Mayor

Attest:

Valerie Shiuwegar, Clerk

[SEAL]

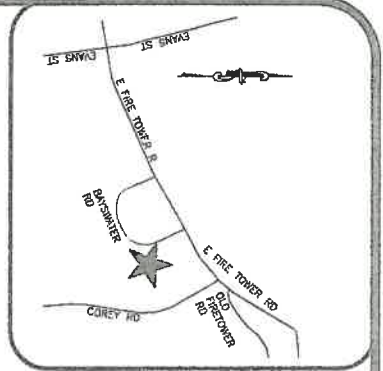
NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public of the aforesaid County and State, hereby certify that Valerie Shiuwegar personally came before me this day and acknowledged that she is the Clerk of the City of Greenville, North Carolina, and that by authority duly given and as the act of the City of Greenville, North Carolina, the foregoing instrument was signed in its name by its Mayor, P.J. Connelly, sealed with its seal and attested by her as its Clerk.

WITNESS my hand and seal, this the _____ day of _____, 2023.

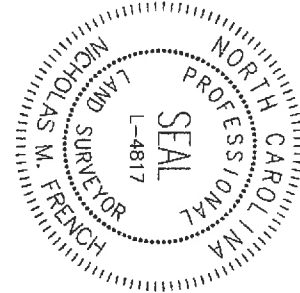
My Commission Expires: _____

NOTARY PUBLIC



VICINITY MAP (NTS)

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY DONE UNDER MY SUPERVISION, AND THAT THE ERROR OF CLOSURE AS COMPUTED BY CO-ORDINATES IS LESS THAN 1:10,000; AND THAT THE VERTICAL ERROR OF CLOSURE IS CONSISTENT WITH A CLASS "A" TOPOGRAPHIC SURVEY.



NICHOLAS M. FRENCH, L-4817 DATE

LASSITER REAL ESTATE
INVESTMENTS LLC
PIN: 468-650-6647
D.B. 3314, PG. 522

N/E

S 85°17'27" E 590.16'

SEE ENLARGEMENT FOR
GREENVILLE UTILITIES COMMISSION

1" EIP
2" B/C
R/W

BAYSWATER ROAD
60' PUBLIC R/W

PARCEL #88543
6.09 +/- AC 266326 SQ. FT.
0.08 +/- AC 3599 SQ. FT.
6.01 +/- AC 261727 SQ. FT.

PARCEL #84010

15-FT WIDE NEW ACCESS
INGRESS & EGRESS
EASEMENT TO BE
RELOCATED

PROPOSED

CELL PHONE
TOWER
TOO IV LLC
DB 3337 PG 170
MB 81 PG 195

PARCEL #84010
0.083 +/- AC
3599 SQ. FT.

APPROXIMATE
LOCATION OF
GREENWAY EASEMENT
(MB 52 PG 60)

PROPOSED
ELECTRICAL
EASEMENT

10' ELECTRIC
EASEMENT
MB 78 PG 55
MB 81 PG 195

10' ELECTRIC
EASEMENT
MB 78 PG 55
MB 81 PG 195

FLOOD WAY
PER FEMA:
FLOOD
MAP: 3720468600K
EFFECTIVE
DATE
07/07/2014

APPROXIMATE LOCATION OF THE 1%
FEMA FLOOD PLAN LIMIT AS TAKEN
FROM N.E.P. RATE MAPS DATED JULY 7,
2014 COMMUNITY PANEL 3720468600K;
B.F.E. VARIES FROM 57.4 TO 56.1

50' RIPARIAN BUFFER,
GREENWAY AND DRAINAGE
EASEMENT

50' RIPARIAN BUFFER,
GREENWAY AND DRAINAGE
EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	660.00'	66.27'	270.703'	N 27°07'03" E	545.09"
C2	660.00'	14.97'	232.314'	N 23°23'14" E	118.00"
C3	660.00'	137.34'	1646.37'	N 16°46'37" E	1135.57"
C4	174.00'	46.81'	564.057'	N 56°40'57" W	1524.51"
C5	263.65'	82.07'	400.327'	N 40°03'27" W	1750.10"
C6	91.70'	63.52'	511.958'	N 51°19'58" E	4056.15"
C7	106.70'	75.21'	511.3630'	N 51°19'58" E	4056.15"
C8	248.65'	77.40'	400.327'	N 40°03'27" W	1750.10"
C9	159.00'	42.77'	564.057'	N 56°40'57" E	1524.51"

CURVE TABLE

LINE	BEARING	DISTANCE
LEA1	N 09°26'13" E	6.30'
LEA2	S 79°01'03" E	19.48'
LEA3	S 10°58'57" W	36.89'
LEA4	N 76°32'01" W	10.01'
LEA5	N 10°58'57" E	26.46'
LEA6	N 79°01'03" W	9.21'

EASEMENT LINE TABLE (EA)

EASEMENT ENLARGEMENT

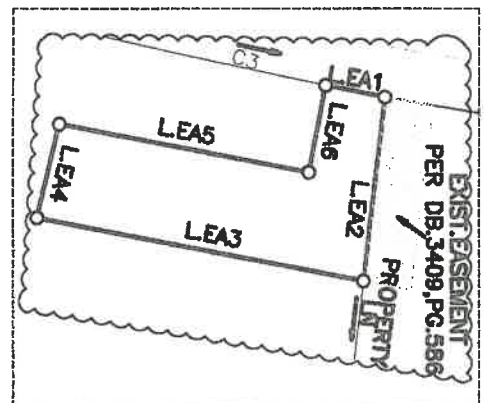
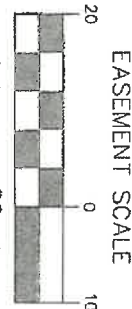


EXHIBIT A



1 inch = 20 ft.

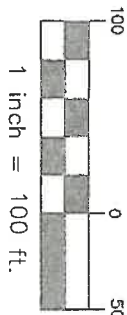
EASEMENT LINE TABLE (E)

LINE	BEARING	DISTANCE
LE1	N 29°34'38" E	9.60'
LE2	S 64°23'23" E	36.07'
LE3	N 80°01'14" E	69.24'
LE4	N 29°42'48" E	42.81'
LE5	S 60°08'52" E	30.00'
LE6	S 29°53'03" W	60.00'
LE7	N 60°08'52" W	28.10'
LE8	S 79°28'46" W	65.03'
LE9	S 29°53'08" W	9.27'
LE10	N 27°38'37" E	14.45'
LE11	N 64°23'23" W	35.49'

BOUNDARY LINE TABLE (B)

LINE	BEARING	DISTANCE
LB1	N 29°53'03" E	60.00'
LB2	S 60°07'36" E	59.99'
LB3	S 29°54'47" W	60.02'
LB4	N 60°06'16" W	59.96'

GRAPHIC SCALE



1 inch = 100 ft.

FLEMING J RUSSELL
PIN: 468-569-1704
D.B. 821, PG. 467

N/E

EASEMENT SURVEY

FOR

CITY OF GREENVILLE FIRE

BEING OVER AND UPON LOT 4C, BLOCK "B", FIRE TOWER
JUNCTION, AS RECORDED IN MAP BOOK 78, PAGE 156, AND
DEED BOOK 3892, PAGE 681.

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NC
ADDRESS: 4176 BAYSWATER ROAD, WINTERVILLE, NC 28590

PROJECT:	L2-21-138
SURVEY BY:	ANTONY .R
DRAWN BY:	YONATHAN. S
SCALE:	VARIES
DATE:	03/14/2023

ECLS



ECLS
GLOBAL, INC.
U.S. VETERAN-OWNED
19 N MCKINLEY ST
COATS, NC 27621
910.897.3257 ECLS@GLOBALINC.COM
910.897.2329 (FAX) CD#C-4176



City of Greenville, North Carolina

Meeting Date: 05/08/2023

<u>Title of Item:</u>	Resolution and Water Line Easement and Access Easement for Greenville Utilities Commission to expand water service to Wildwood Park
<u>Explanation:</u>	The City desires to provide expanded water service to Wildwood Park at 3450 Blue Heron Drive, parcel #86710, by extending GUC's existing water pipeline. As such, GUC requests that the City grant a water line easement and access easement over the service facilities on a certain portion of parcel #86710.
<u>Fiscal Note:</u>	No cost to the City.
<u>Recommendation:</u>	Approve resolution and grant water line easement and access easement for ingress, egress, and regress for parcel number 86710.

ATTACHMENTS

-  [Resolution Authorizing Acquisition of Water Line Easement for Wildwood Park \(Tax PN 86710\).pdf](#)
-  [Water Line Easement PN 86710 - City of Greenville.pdf](#)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING GRANTING OF A WATER LINE EASEMENT
FOR THE USE OF THE GREENVILLE UTILITIES COMMISSION

WHEREAS, the City of Greenville, North Carolina ("City"), desires to provide expanded water service to the City's Wildwood Park by extending the Greenville Utilities Commission's ("GUC") existing water pipeline; and

WHEREAS, in response, GUC requests the City to grant a Water Line Easement over the water pipeline extension on a certain portion of the property owned by the City (as described below); and

WHEREAS, N.C.G.S. 160A-273 authorizes the City to grant an easement across city property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, as follows:

Section 1. That the City Council of the City does hereby approve the granting of a Water Line Easement for the use and benefit of GUC upon a 10,254 square foot area on the property owned by the City (the "Property") and described in Deed Book 4012 at Page 124, Pitt County Public Registry, and Tax Parcel No. 86710. The area of the Water Line Easement is shown on a map labeled "Water Line Easement Map", a copy of which is attached hereto as Exhibit A.

Section 2. That the Mayor or City Manager is hereby authorized to execute the appropriate instruments necessary to grant the Water Line Easement on the Property for the benefit of GUC.

Section 3. This Resolution shall take effect immediately upon its adoption.

This the _____ day of _____, 2023.

CITY OF GREENVILLE

By: _____
P.J. CONNELLY, MAYOR

ATTEST:

VALERIE P. SHIUWEGAR, CITY CLERK

[SEAL]

A meeting of the City Council of the City of Greenville, North Carolina, was held on _____, 2023.

Present: _____

Absent: _____

Also Present: _____

After consideration of the foregoing Resolution, Council member _____, moved for the passage thereof, which motion was duly seconded by Council member _____, and the foregoing Resolution was passed by the following vote:

Ayes: _____

Noes: _____

I, Valerie Shiuwegar, City Clerk of the City of Greenville, North Carolina, DO HEREBY CERTIFY that the foregoing accurately reflects the proceedings as recorded in the minutes of the City Council of said City at a meeting held on the _____ day of _____, 2023 and contains the verbatim text of Resolution No. _____ which was duly adopted by said City Council at said meeting.

WITNESS my hand and the official seal of said City, this _____ day of _____, 2023.

City Clerk

[SEAL]

Easement Line Table		
LINE #	LENGTH	DIRECTION
L1	445.08	N 34°51'23" E
L2	13.37	S 86°26'50" E
L3	15.14	N 33°22'40" E
L4	8.08	S 56°37'20" E
L5	22.40	S 34°54'25" W
L6	10.62	N 86°28'50" W
L7	439.42	S 34°51'23" W

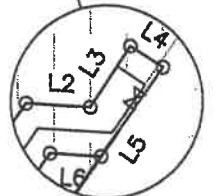
Easement Line Table		
LINE #	LENGTH	DIRECTION
L8	225.88	S 35°18'09" W
L9	225.18	S 36°38'07" W
L10	39.22	S 37°34'14" W
L11	8.47	S 41°04'36" E
L12	10.00	S 48°55'24" W
L13	6.00	N 41°04'36" W
L14	6.08	S 38°52'12" W

Easement Line Table		
LINE #	LENGTH	DIRECTION
L15	10.33	N 53°07'48" W
L16	50.88	N 37°08'32" E
L17	42.49	N 53°57'39" W
L18	10.00	N 36°02'21" E
L19	42.89	S 53°57'39" E
L20	219.76	N 36°37'32" E
L21	225.64	N 35°18'08" E

GREENVILLE BLVD

OLD PACTOLUS RD

SITE

VICINITY MAP
(NOT TO SCALE)324.3' ± TO RW
OF NCSR 1534INSET
SCALE
1"=40N.C.G.S.M. "REPAIR"
N = 690,403.15 FT. (GRID)
E = 2,496,041.02 FT. (GRID)
NAVD 1988 ELEV = 23.97NEW 10' WIDE WATER
LINE EASEMENT
CENTERED 5' ON EACH
SIDE OF THE WATER
LINE AS INSTALLED
10,254 S.F. ±
0.235 AC. ±CITY OF GREENVILLE
DB 4012 PG 124
MB 60 PG 174
PARCEL 86710N.C.G.S.M. "TRINITY"
N = 675,582.61 FT. (GRID)
E = 2,493,787.04 FT. (GRID)
NAVD 1988 ELEV = 41.92HAPPY TRAIL FARMS LLC
DB 3447 PG 316
MB 31 PG 85
PARCEL 39585

LEGEND

C/L = CENTERLINE
P/L = PROPERTY LINE
R/W = RIGHT-OF-WAY
= NO POINT SET
= NOT TO SCALE
= OVER HEAD ELECTRIC LINE120' WIDE CP&L/DUKE
ENERGY ELECTRIC
TRANSMISSION LINE
EASEMENT60' WIDE NON-PUBLIC
EASEMENT (PER MB 24
PG 125 & 125A)HAPPY TRAIL FARMS LLC
DB 3447 PG 316
MB 24 PG 125
PARCEL 76226CITY OF GREENVILLE
DB 4012 PG 124
MB 60 PG 174
PARCEL 86710

NOTES:

- 1) THIS PROPERTY IS SUBJECT TO THE TAR/PAMLICO RIVER RIPARIAN BUFFER RULES.
- 2) THE SURVEYOR MAKES NO GUARANTEE THAT THERE ARE NO OTHER EASEMENTS THAT MAY BENEFIT OR BURDEN THE SUBJECT PROPERTY.
- 3) THE EASEMENT AREA DEPICTED IN THIS SURVEY IS LOCATED IN ZONE AE AND IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS TAKEN FROM N.F.I.P. RATE MAP DATED JULY 7, 2004 COMMUNITY PANEL NUMBER 3720468800K. BASE FLOOD ELEVATION = 20.3
- 4) SUBSURFACE UTILITIES SHOWN WERE TAKEN FROM ABOVE GROUND EVIDENCE AND RECORDS PROVIDED BY GREENVILLE UTILITIES COMMISSION.
- 5) SPOT ELEVATIONS & CONTOURS ESTABLISHED FROM N.C.G.S. MONUMENT TRINITY & REPAIR
- 6) PROPERTY LINES SHOWN AS DASHED REPRESENT LINES NOT SURVEYED.

WATER LINE EASEMENT MAP

LOT NO. _____ BLOCK _____
SUBDIVISION _____
PACTOLUS TOWNSHIP, PITT COUNTY
SURVEY FOR GREENVILLE UTILITIES COMMISSIONDRAWN BY: WBH PROJ. NO. : 20220005
SURVEYED BY: GDF DATE: MARCH 10, 2023
SCALE: 1" = 100' DWG NAME: wl-easement

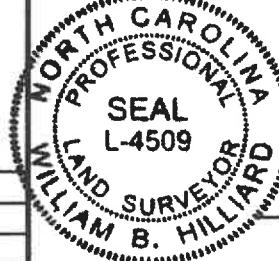
THE EAST GROUP

324 S. EVANS ST.
GREENVILLE, NC 27834
(252) 758-3746
CORPORATE LICENSE NO. C02064325 LAKE BOONE TRAIL SUITE 311
RALEIGH, NC 27607
(919) 784-9330

Engineering Architecture Surveying Technology

STATE OF NORTH CAROLINA

PITT COUNTY

I, WILLIAM B. HILLIARD, CERTIFY THAT THIS
PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION
RECORDED IN BOOK _____ PAGE _____). THAT THE RATIO
OF PRECISION AS CALCULATED IS 1:10,000±; THAT THIS PLAT
WAS PREPARED IN ACCORDANCE WITH STANDARDS OF
PRACTICE. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION
NUMBER AND SEAL THIS 10th DAY OF MARCH, 2023.

4509

I, _____, REVIEW OFFICER OF
PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO
WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER & DATE

Prepared by: Phillip R. Dixon, Attorney
File: Greenville Utilities Commission
Post Office Box 1847
Greenville, NC 27835

PN 86710

NORTH CAROLINA
PITT COUNTY

GRANT OF WATER LINE EASEMENT
AND ACCESS EASEMENT FOR
INGRESS, EGRESS, AND REGRESS
DATE _____

KNOW ALL MEN BY THESE PRESENTS, that the undersigned "GRANTOR" (whether one or more), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to it in hand paid by GREENVILLE UTILITIES COMMISSION of the City of Greenville, Pitt County, North Carolina, 401 South Greene Street (PO Box 1847), Greenville, NC 27835-1847, hereinafter referred to as the "COMMISSION," the receipt of which is hereby acknowledged, does hereby grant the City of Greenville, a body politic and corporate in Pitt County, North Carolina, for the use and benefit of the "COMMISSION," its licensees, successors and assigns, the right, privilege and easement to go in, through, under, and upon lands of the GRANTOR located in Pactolus Township, Pitt County, North Carolina, and more fully described as follows:

A Permanent Water Line Easement, ten feet (10') in width, more or less, and approximately nine hundred and fifty three feet (953') in length, more or less, lying on the northwest side and approximately ten feet (10') parallel to the Grantors southeast property line (Dimensions are not an absolute measurement and may vary in length), across a portion of Tax Parcel No. 86710 (according to the records in the Office of the Tax Administration of Pitt County, NC), said property described in Deed Books 4012 at Page 124 and Map Book 60 at page 174, Pitt County Public Registry, and described as follows:

Located by traveling from a point set at N.C.G.S.M. "REPAIR" (NC GRID COORD) N: 690,403.15 US. FT. (GRID) E: 2,496,041.02 US. FT. (GRID); NAVD 1988 ELEV = 23.97; thence S 16°44'26" E, 8,327.99', to a point, the Point of Beginning; cornering, thence N 34°51'23" E 445.06', more or less (L1), to a point; cornering, thence S 86°26'50" E 13.37', more or less (L2), to a point; cornering, thence N 33°22'40" E 15.14', more or less (L3), to a point; cornering, thence S 56°37'20" E 8.06', more or less (L4), to a point; cornering, thence S 34°54'25" W 22.40', more or less (L5), to a point; cornering, thence N 86°26'50" W 10.62', more or less (L6), to a point; cornering, thence S 34°51'23" W 439.42', more or less (L7), to a point; thence S 35°18'09" W 225.88', more or less (L8), to a point; thence S 36°38'07" W 225.18', more or less (L9), to a point; thence S 37°34'14" W 39.22', more or less (L10), to a point; cornering, thence S 41°04'36" E 8.47', more or less (L11), to a point; thence S 48°55'24" W 10.00', more or less (L12), to a point; cornering, thence N 41°04'36" W 6.00', more or less (L13), to a point; cornering, thence S 36°52'12" W 6.08', more or less (L14), to a point; cornering, thence N 53°07'48" W 10.33', more or less (L15), to a point; cornering, thence N 37°08'32" E 50.88', more or less (L16), to a point; cornering, thence N 53°57'39" W 42.49', more or less (L17), to a point; cornering, thence N 36°02'21" E 10.00', more or less (L18), to a point; cornering, thence S 53°57'39" E 42.89', more or less (L19), to a point; cornering, thence N 36°37'32" E 219.76', more or less (L20), to a point; thence N 35°18'08" E 225.64', more or less (L21), to a point, the Point of Beginning, containing 10,254 sq. ft. (0.235 acres), all as is shown on that certain plat entitled "Water Line Easement Map – Survey for Greenville Utilities Commission" dated March 10, 2023, with a latest revision dated March 28, 2023, prepared by William B. Hilliard, Professional Land Surveyor, License No. L-4509, The East Group,

Corporate License No. C0206, 324 S. Evans Street, Greenville, NC 27834, Phone (252) 758-3746, denominated Drawing Name wl-easement, Project No: 2020005, marked Exhibit "A" and attached hereto and made a part hereof, and to which reference is hereby made for a more particular and accurate description of the subject easement.

And to construct, install, operate and maintain a water main easement in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by the Commission a permanent easement and a temporary construction easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (a) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;
- (b) the right and privilege to enter upon the land included in the construction easement hereinabove described for the purpose of constructing said utility facilities, and the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (c) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings, domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;
- (d) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

The structures and appurtenant facilities installed by the Commission shall be and remain the property of the Commission and may be removed by it at any time and from time to time.

Grantor reserves the right to use the lands in and over which the right of way and easement rights are hereby granted for all purposes not inconsistent with said right of way and easement rights, except that Grantor agrees that (1) no buildings or permanent structures, wells, septic tanks, absorption pits, underground or overhead storage tanks, burial plots, or any other obstruction which might interfere with the construction, maintenance and operation of said utility facilities shall be placed within the area of said strip without the express written permission of the Commission; and (2) the Commission's facilities shall in no way be interfered with or endangered by the Grantor or Grantor's licensees, successors or assigns, without the express written permission of the Commission.

The Commission agrees that it will repair, rebuild, replace or pay the actual damages sustained as mutually agreed upon by the Commission and Grantor, and pay the actual damages to actual crops inside said right of way strip on the above land caused by the construction, operation, maintenance, inspection, rebuilding and removal of said lines, and in going to and from said right of way strip, and will repair any extraordinary damage to any bridge or to any road due to heavy hauling to and from the said right of way strip if claim is made within a period of thirty (30) days after such damages are sustained by Grantor.

Any notice to be given by one party to the other party hereunder may be delivered or deposited postage prepaid addressed to the following:

Grantors: City of Greenville, North Carolina
 P.O. Box 7207
 Greenville, North Carolina 27835

Commission: Greenville Utilities Commission
401 S. Greene Street
P.O. Box 1847
Greenville, North Carolina 27835

TO HAVE AND TO HOLD the aforesaid rights, privileges and construction easement unto the Grantee for such period of time as may be required to complete the construction of said utility facilities, and thereafter a permanent easement unto the Grantee and its successors, licensees and assigns for the uses and purposes hereinabove set forth.

And Grantor, for the Grantor and for the Grantor's heirs, executors, administrators, licensees, successors and assigns, covenants to and with the Commission, its licensees, successors and assigns, that Grantor is lawfully seized of the above described land in fee and has the right to convey the said rights, easements and privileges herein described; that the same is free and clear from any and all encumbrances not satisfactory to the Commission; that the Commission shall have quiet and peaceful possession, use and enjoyment of the aforescribed easement of right of way, rights and privileges; that the Grantor shall execute such further assurances thereof as may be required by the Commission; and Grantor will forever warrant and defend the title to the said easement of right of way, rights and privileges against the lawful claims of all persons whomsoever.

The singular shall include the plural and reference to gender shall include masculine, feminine and neuter.

IN WITNESS WHEREOF, the parties have caused these presents to be signed in its corporate name by its duly authorized corporate officers, duly attested and its corporate seal hereunto affixed, all by authority of its Board of Directors duly given, this the day and year first above written.

CITY OF GREENVILLE, NORTH CAROLINA

By: _____
P.J. Connelly, Mayor

Attest:

Valerie Shiuwegar, Clerk

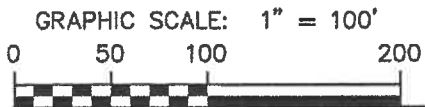
[SEAL]

NORTH CAROLINA
PITT COUNTY

I, _____, a Notary Public of the aforesaid County and State, hereby certify that Valerie Shiuwegar personally came before me this day and acknowledged that she is the Clerk of the City of Greenville, North Carolina, and that by authority duly given and as the act of the City of Greenville, North Carolina, the foregoing instrument was signed in its name by its Mayor, P.J. Connelly, sealed with its seal and attested by her as its Clerk.

WITNESS my hand and seal, this the ____ day of _____, 2023.

My Commission Expires: _____
NOTARY PUBLIC



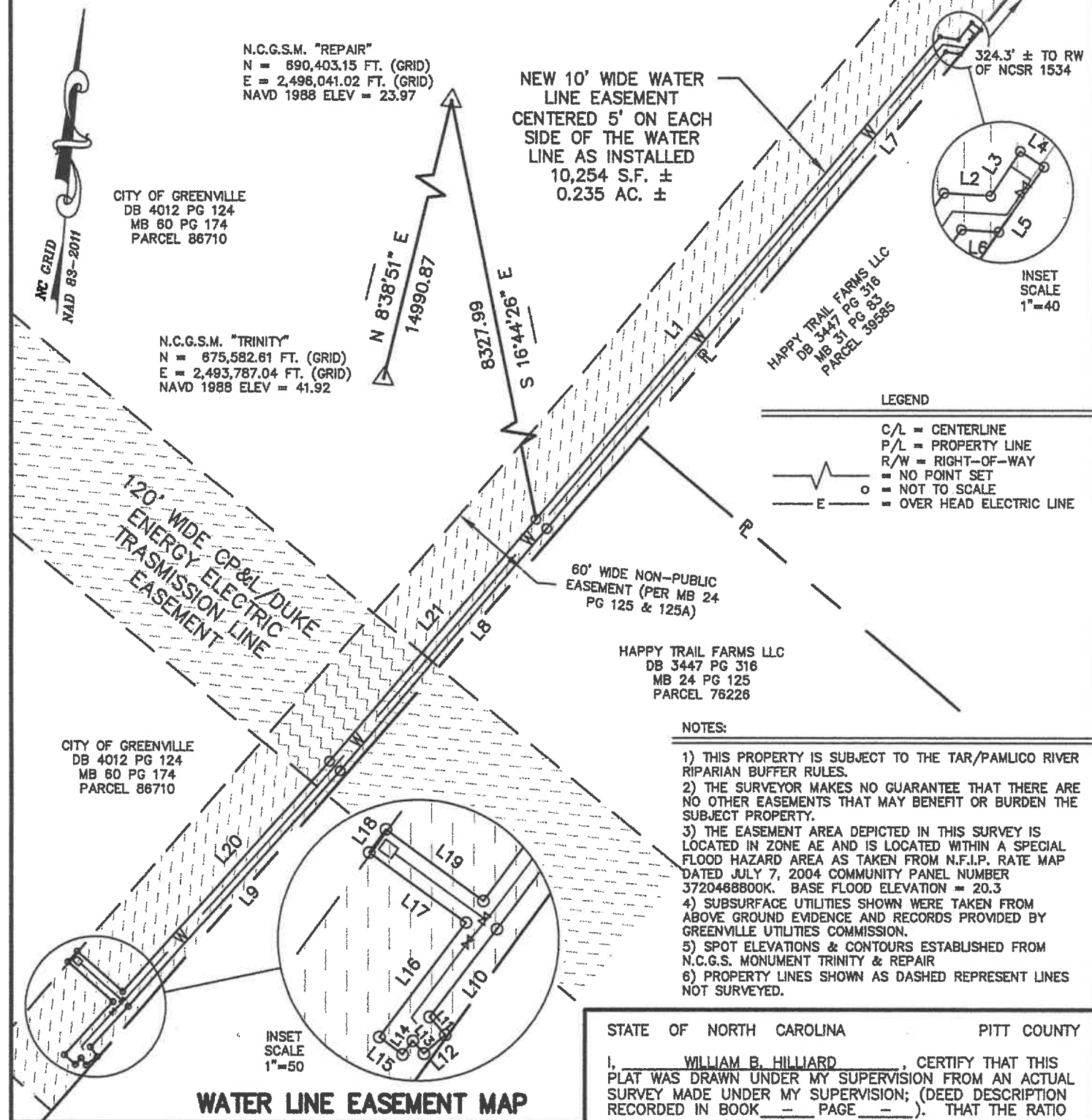
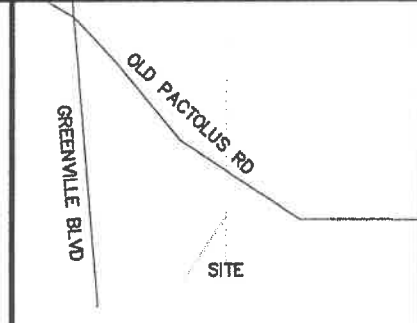
REV 2 - ADDED INSET - WBH - 3/28/23
REV 1 - ADDED NORTH ARROW - WBH - 3/20/23

EXHIBIT "A"

Easement Line Table		
LINE #	LENGTH	DIRECTION
L1	445.08	N 34°51'23" E
L2	13.37	S 86°26'50" E
L3	15.14	N 33°22'40" E
L4	8.08	S 56°37'20" E
L5	22.40	S 34°54'25" W
L6	10.62	N 86°26'50" W
L7	439.42	S 34°51'23" W

Easement Line Table		
LINE #	LENGTH	DIRECTION
L8	225.88	S 35°18'09" W
L9	225.18	S 36°38'07" W
L10	39.22	S 37°34'14" W
L11	8.47	S 41°04'36" E
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L18	10.00	N 36°02'21" E
L19	42.89	S 53°57'39" E
L20	219.76	N 36°37'32" E
L21	225.84	N 35°18'08" E



WATER LINE EASEMENT MAP

STATE OF NORTH CAROLINA PITT COUNTY

I, WILLIAM B. HILLIARD, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION RECORDED IN BOOK PAGE). THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH STANDARDS OF PRACTICE. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10th DAY OF MARCH, 2023.

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
SEAL L-4509
WILLIAM B. HILLIARD
4509

I, , REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER & DATE

LOT NO. BLOCK

SUBDIVISION

PACTOLUS TOWNSHIP, PITT COUNTY

SURVEY FOR GREENVILLE UTILITIES COMMISSION

DRAWN BY: WBH	PROJ. NO. : 20220005
SURVEYED BY: GDF	DATE: MARCH 10, 2023
SCALE: 1" = 100'	DWG NAME: wl-easement

THE EAST GROUP
324 S. EVANS ST.
GREENVILLE, NC 27834
(252) 758-3748
CORPORATE LICENSE NO. 00206
Engineering • Architecture • Surveying • Technology

4325 LAKE BOONE TRAIL SUITE 311
RALEIGH, NC 27607
(919) 784-9330



City of Greenville, North Carolina

Meeting Date: 05/08/2023

<u>Title of Item:</u>	Encroachment Agreement with the North Carolina Department of Transportation for Placement of the City's Gateway Monument Sign and Associated Landscaping and Lighting
<u>Explanation:</u>	<p>At Council's March 17, 2022 meeting, the design of the gateway sign was approved, and City staff is moving forward with plans for installation of the sign and associated landscaping and lighting on Route I-587/US-264 at the Southwest corner of the intersection of NC Hwy 11 bypass.</p> <p>Installation and maintenance of the gateway sign and associated landscaping and lighting requires the City to execute an encroachment agreement with the North Carolina Department of Transportation (NCDOT) to encroach in NCDOT's right-of-way. The encroachment agreement requires the City to indemnify and save harmless the NCDOT from all damages and claims for damage that may arise by reason of the installation and maintenance of the gateway sign and associated landscaping and lighting, and to restore all areas disturbed during the same.</p>
<u>Fiscal Note:</u>	The City will expend funds to install and maintain the gateway sign and associated landscaping and lighting in a safe and proper condition as to not interfere with or endanger the public; and cover the costs for repair or maintenance by NCDOT that may become necessary due to the encroachment.
<u>Recommendation:</u>	City Council approve the execution of the Right of Way Encroachment Agreement with NCDOT for City's installation and maintenance of the gateway sign and associated landscaping and lighting.

ATTACHMENTS

 [16-2-Two-Party-C-A.pdf](#)

ROUTE

STATE PROJECT
FEDERAL PROJECT

STATE OF NORTH CAROLINA
COUNTY

DEPARTMENT OF TRANSPORTATION
-AND-

RIGHT OF WAY
ENCROACHMENT AGREEMENT
INTERSTATE AND OTHER CONTROLLED
ACCESS HIGHWAYS

THIS AGREEMENT, made and entered into this the day of , 20 , by and between the Department of Transportation, party of the first part; and

party of the second part,

WITNESSETH

THAT WHEREAS, the party of the second part desires to encroach on the right of way of the public road designated as Route(s) , located with the construction and/or erection of:

WHEREAS, it is to the material advantage of the party of the second part to effect this encroachment, and the party of the first part in the exercise of authority conferred upon it by statute, is willing to permit the encroachment within the limits of the right of way as indicated, subject to the conditions of this agreement;

NOW, THEREFORE, IT IS AGREED that the party of the first part hereby grants to the party of the second part the right and privilege to make this encroachment as shown on attached plan sheet(s), specifications and special provisions which are made a part hereof upon the following conditions, to wit:

That the installation, operation, and maintenance of the above described facility will be accomplished in accordance with the party of the first part's latest UTILITIES ACCOMMODATIONS MANUAL, and such revisions and amendments thereto as may be in effect at the date of this agreement. Information as to these policies and procedures may be obtained from the Division Engineer or State Utilities Manager of the party of the first part.

That the said party of the second part hereby agrees that access for servicing its facilities will be limited to access via (a) frontage roads where provided, (b) nearby or adjacent public roads and street, or (c) trails along or near the highway right of way lines, connecting only to an intersecting road; from any one or all of which entry may be made to the outer portion of the highway right of way. The party of the second part's rights of access to the through-traffic roadways and ramps shall be subject to the same rules and regulations as apply to the general public, except if an emergency situation occurs, and the usual means of access for service operation as herein provided will not permit the immediate action required by the party of the second part in making emergency repairs as required for the safety and welfare of the public, the party of the second part shall have a temporary right of access to and from the through-traffic roadways and ramps as necessary to accomplish the required emergency repairs, provided that the party of the second part complies with the regulations established by the party of the first part for policing and control to protect the highway users.

That the said party of the second part binds and obligates himself to install and maintain the encroaching facility in such safe and proper condition that it will not interfere with or endanger travel upon said highway, nor obstruct nor interfere with the proper maintenance thereof, to reimburse the party of the first part for the cost incurred for any repairs or maintenance to its roadways and structures necessary due to the installation and existence of the facilities of the party of the second part, and if at any time the party of the first part shall require the removal of or changes in the location of the said facilities, that the said party of the second part binds himself, his successors and assigns, to promptly remove or alter the said facilities, in order to conform to the said requirement, without any cost to the party of the first part.

That the party of the second part agrees to provide during construction and any subsequent maintenance proper signs, signal lights, flagmen and other warning devices for the protection of traffic in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the Division Engineer of the party of the first part.

That the party of the second part hereby agrees to indemnify and save harmless the party of the first part from all damages and claims for damage that may arise by reason of the installation and maintenance of this encroachment.

That the party of the second part agrees to restore all areas disturbed during installation and maintenance to the satisfaction of the Division Engineer of the party of the first part. The party of the second part agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air. There shall be compliance with applicable rules and regulations of the North Carolina Division of Environmental Management, North Carolina Sedimentation Control Commission, and with ordinances and regulations of various counties, municipalities and other official agencies relating to pollution prevention and control. When any installation or maintenance operation disturbs the ground surface and existing ground cover, the party of the second part agrees to remove and replace the sod or otherwise reestablish the grass cover to meet the satisfaction of the Division Engineer of the party of the first part.

That the party of the second part agrees to assume the actual cost of any inspection of the work considered to be necessary by the Division Engineer of the party of the first part.

FORM R/W 16.2
Rev. February 2021

Page 1 of 3

45

That the party of the second part agrees to have available at the construction site, at all times during construction, a copy of this agreement showing evidence of approval by the party of the first part. The party of the first part reserves the right to stop all work unless evidence of approval can be shown.

Provided the work contained in this agreement is being performed on a completed highway open to traffic; the party of the second part agrees to give written notice to the Division Engineer of the party of the first part when all work contained herein has been completed. Unless specifically requested by the party of the first part, written notice of completion of work on highway projects under construction will not be required.

That in the case of noncompliance with the terms of this agreement by the party of the second part, the party of the first part reserves the right to stop all work until the facility has been brought into compliance or removed from the right of way at no cost to the party of the first part.

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun within one (1) year from the date of authorization by the party of the first part unless written waiver is secured by the party of the second part from the party of the first part.

During the performance of this contract, the second party, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

- a. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U. S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- b. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- c. Solicitations for Subcontracts, including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- d. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to,
 - (1) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (2) cancellation, termination or suspension of the contract, in whole or in part.
- f. Incorporation of Provisions: The contractor shall include the provisions of paragraphs "a" through "f" in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

R/W (162) : Party of the Second Part certifies that this agreement is true and accurate copy of the form R/W (162) incorporating all revisions to date.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

DEPARTMENT OF TRANSPORTATION
BY: _____
STATE UTILITIES MANAGER

ATTEST OR WITNESS:

Second Party

INSTRUCTIONS

When the applicant is a corporation or a municipality, this agreement must have the corporate seal and be attested by the corporation secretary or by the empowered city official, unless a waiver of corporate seal and attestation by the secretary or by the empowered City official is on file in the Raleigh office of the State Utilities Manager. In the space provided in this agreement for execution, the name of the corporation or municipality shall be typed above the name, and title of all persons signing the agreement should be typed directly below their signature.

When the applicant is not a corporation, then his signature must be witnessed by one person. The address should be included in this agreement and the names of all persons signing the agreement should be typed directly below their signature.

GENERAL REQUIREMENTS

1. Wherever possible, freeway crossing should be parallel to and within the prevailing right of way of intersecting roads.
2. Crossings should be as near as possible normal to the center line of the freeway.
3. Parallel encroachments will not be permitted except outside of control of access lines.
4. The Department's Division Engineer should be given notice by the applicant prior to actual starting of installations included in this agreement.

For Overhead Wire Lines

1. Minimum vertical clearances of overhead wires above all roadways must conform to clearances set out in the National Electric Safety Code.
2. Supporting poles or structures must be clear of control of access lines, and be at least 30 feet clear of the edge of shoulders of through lanes and 20 feet clear of the shoulders of interchange ramps.

For Underground Utilities

1. Open-cut installation for crossings will be permitted only when a highway project is in rough grading stage prior to paving. Generally, on rough grading projects, open-cut will not be permitted in fills of over 10 feet in depth and back filled material must be compacted to maximum density meeting Department requirements.
2. Encasements under an existing freeway must be installed by means of tunneling, jacking, or boring and any voids outside the encasement must be filled with lean concrete grout and the ends of encasements be satisfactorily closed.
3. In cut section, encasement must extend continuously from ditch line to ditch line and in fill section, encasement must extend continuously five feet beyond toe to slopes.
4. Vents for encasement should be extended to the right of way line or as otherwise required by the Department.
5. All pipe encasements as to material and strength shall meet the standards and specifications of the Department.
6. When trenching is carried down cut slopes, excavation must be backfilled to maximum density and the disturbed portion of the slope be stabilized and sodded to the satisfaction of the Department's Engineer.

Plans

This Encroachment agreement must be accompanied, in the form of an attachment, by a plan showing the following:

1. All roadways and ramps
2. Right of way and control of access lines
3. Drainage structures or bridges if affected by encroachment
4. Location of the proposed encroachment
5. Length, size and type of encroachment
6. Dimensions, showing the distance from the encroachment to roadways, shoulders, structures, etc.
7. Location by highway survey station number. If station number cannot be obtained, location should be shown by distance from some identifiable point, such as a bridge, road intersection, etc. (To assist in preparation of the encroachment plan, Department roadway plans may be seen at the various Highway Division Offices or at the Raleigh Office.)

All encroachment agreements involving the crossing of the right of way, roadways and/or ramps of a freeway, must be accompanied, in the form of an attachment, by a profile showing the following information:

1. The profile should extend from right of way line to right of way line and show all slopes (cut or fill), ditches, shoulders, pavements, medians, etc.
2. A vertical dimension from bottom of road ditches and from surface of pavement to encroaching structures.
3. Length, size, and type of encasement where required.
4. Notation of portion to be installed by open-cut.
5. For underground encroachments involving encasements that must be vented, the location of vents must be shown.
6. Method of installation must be shown in detail on either the plan or profile.
7. Any attachment to a bridge or other drainage structure must be approved by the Department's Bridge Design Unit.
8. Where profile is required, it should be on same sheet with the plan.

SPECIAL PROVISIONS OR SPECIFICATIONS

Any special provisions or specifications as to the performance of the work or the method of construction that may be required by the Department must be shown on a separate sheet attached to encroachment, provided that such information cannot be shown on the plan and profile sheet.



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Ordinance revising a speed limit ordinance for SR 1702 (Evans Street) in the City of Greenville to concur with North Carolina Department of Transportation ordinances

Explanation: Attached for City Council's consideration is an ordinance revising the speed limit ordinance for SR 1702 (Evans Street) in the City of Greenville to concur with the NCDOT's ordinance for the identified road. NCGS § 20-141(f) is the authority for the City to established a speed limit on a state road. The City must adopt the attached corresponding ordinance to be consistent with the changes made by NCDOT. The following is the location that will be affected:

Repeal Speed Limit

<u>Route</u>	<u>Description</u>
SR 1702 (Greenville Blvd) and Howell Street.	45 mph between US 264 Alt

Enact Speed Limit

<u>Route</u>	<u>Description</u>
SR 1702 (Greenville Blvd) and 0.15 mile south west of Howell Street.	45 mph between US 264 Alt

Fiscal Note: No direct costs to the City are associated with this request.

Recommendation: City Council adopt the attached ordinance revising the speed limit ordinance for SR 1702 (Evans Street) in the City of Greenville to concur with NCDOT ordinances.

ATTACHMENTS

-  [Evans Street Ordinance.pdf](#)
-  [NCDOT Ordinances.pdf](#)

ORDINANCE NO. 23-XXX
AN ORDINANCE DECLARING THE SPEED LIMITS
ON STATE-MAINTAINED ROADS

WHEREAS, in accordance with the provisions of North Carolina General Statute § 20-141(f) and Title 10, Chapter 2, Article D, Section 10-2-31(C) of the Code of the City of Greenville, North Carolina, the City Council of the City of Greenville, shall determine and declare safe and reasonable speed limits for roads that are located in the City limits and are part of the state highway system;

WHEREAS, upon the basis of engineering and traffic investigations conducted by the North Carolina Department of Transportation, and reviewed and approved by City staff, it is hereby determined that speed limits for various state maintained roads as stated herein are reasonable and safe; and

WHEREAS, the North Carolina Department of Transportation will provide concurrence of the repealing and declaration of speed limits on the various state-maintained roads as stated herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina that it does hereby approve the following:

Section 1: The State speed limit of 45 miles per hour on the following is hereby repealed:

<u>Route</u>	<u>Description</u>
SR 1702	Evans Street between US 264 (Greenville Blvd) and Howell Street.

Section 2: The State speed limit of 45 miles per hour on the following is hereby enacted:

<u>Route</u>	<u>Description</u>
SR 1702	Evans Street between US 264 (Greenville Blvd) and 0.15 miles south west of Howell Street.

Section 3: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4: This ordinance shall become effective when the North Carolina Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

Section 5: Copies of this ordinance shall be furnished to the North Carolina Department of Transportation along with the Certification of Municipal Declaration to Repeal Speed Limits and Request for Concurrence.

This the _____ day of _____, 2023.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1064281

Division: 2 County: PITT

Municipality: GREENVILLE

Type: Municipal Speed Zones

Road: SR 1702

Car: 45 MPH

Truck: 45 MPH

Description: Between US 264 Alt (Greenville Blvd.) and Howell Street.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my

hand and the municipal seal this _____ day

of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1083810

Division: 2 County: PITT

Municipality: GREENVILLE

Type: Municipal Speed Zones

Road: SR 1702

Car: 45 MPH

Truck: 45 MPH

Description: Between US 264 Alt (Greenville Blvd.) and 0.15 mile south west of Howell Street.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my

hand and the municipal seal this _____ day

of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____

Title: _____

Date: _____

Region: _____

Title: _____

Date: _____



City of Greenville, North Carolina

Meeting Date: 05/08/2023

<u>Title of Item:</u>	Resolution acknowledging the City of Greenville as a participant in the Vision Zero program
<u>Explanation:</u>	<p>The North Carolina Vision Zero initiative is a state-wide program which aims to eliminate roadway deaths and injuries using data-driven prevention strategies. Utilizing the 5 E's approach, NC Vision Zero unites Engineers, Educators, Emergency responders, law Enforcement, and Everyone in a cooperative effort to make North Carolina streets safe for all road users. The Traffic Safety Taskforce was established with the same thought process in mind; joint efforts with NCDOT, ECU Police Department, ECU Health, and the City of Greenville Engineering and Police Departments, have helped Greenville improve it's state-wide ranking with regard to traffic crashes.</p> <p>While the City of Greenville recognizes and practices the principles of a Vision Zero community, we are requesting a resolution from City Council to officially acknowledge participation in this statewide program. The Traffic Safety Taskforce has established a sub-committee to work on a Vision Zero action plan which it anticipates presenting to City Council in June.</p>
<u>Fiscal Note:</u>	No direct cost.
<u>Recommendation:</u>	Adopt the Resolution in support of the City of Greenville as an active participant in the Vision Zero program.

ATTACHMENTS

 [Vision Zero Resolution.pdf](#)

RESOLUTION NO. ____-_____
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE IN SUPPORT
OF THE CITY OF GREENVILLE’S PARTICIPATION IN THE VISION ZERO PROGRAM

WHEREAS, roadway fatalities and serious injuries cause unacceptable levels of human and economic loss, with 42,915 reported deaths nationally in 2021; and

WHEREAS, Vision Zero provides a practical framework through which roadway deaths and serious injuries may be substantially reduced and eliminated over time; and

WHEREAS, the City of Greenville aspires to be a safe and accessible town for people of all ages and abilities; and

WHEREAS, the City of Greenville is committed to building a transportation network that encourages safe and accessible walking, biking, and driving behaviors; and

WHEREAS, the city and community must work together for safer streets; and

WHEREAS, Vision Zero distinguishes itself from traditional road safety approaches by focusing on solutions to eliminate fatalities and serious injuries on our streets; and

WHEREAS, a Vision Zero Action Plan is to be created to build on Greenville’s long-standing commitment to traffic safety with the established policy to make transportation safe and accessible by striving for complete streets and zero fatal and serious crashes by 2035;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby support the efforts of the Traffic Safety Task Force in their continued efforts to reduce crashes and injuries in our community by declaring Greenville a Vision Zero city

This the ____ day of May, 2023.

P.J. Connelly, Mayor

ATTEST:

Valerie P. Shiuwegar, City Clerk



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Subordination Agreement involving Sale of Hotel Property to support Greenville Convention Center

Explanation: Current Request: Greenville Prime Investors II, LLC ("GPI"), the owner of the Greenville Hampton Inn, is seeking a loan to refinance the hotel property with Pinnacle Bank and requests the City enter into a partial subordination of the Purchase and Sale Agreement dated April 16, 2007, between the City and GPI, in favor of GPI's new lender, Pinnacle Bank. The existing loan closed in 2013 will be paid off in full by the proceeds from the new Pinnacle Bank loan.

Recent Activity: On June 9, 2022, Council approved a partial subordination of the 2007 Purchase and Sale Agreement to a deed of trust in favor of Pinnacle Bank for a secured loan that Pinnacle Bank was at that time intending to make to GPI. The purpose of this loan was to refinance the existing loan that was closed in 2013. However, due to internal reasons, GPI decided to delay closing on this new loan with Pinnacle Bank and therefore, there was no need in 2022 for the City to execute the approved partial subordination agreement. Now, GPI has decided to pursue this new secured loan with Pinnacle Bank, with a closing anticipated to occur later this month, and is requesting the Council to approve a partial subordination agreement (attached) substantially similar to that approved last June, except that some of the dates in the partial subordination agreement have changed.

Background: On April 12, 2007, the City Council authorized the sale of City-owned real property to GPI, of which Tom Glennon is a principal. The property is adjacent to and/or near the Greenville Convention Center and the property was sold by private negotiation pursuant to state law for economic development purposes. GPI constructed a Hampton Inn branded hotel at this location to support the Convention Center's tourism and economic development activities. See Council Agenda dated April 12, 2007. The parcel on which the hotel is located is described in Deed Book 2305, pages 695-697, Pitt County Registry, and bears a parcel ID of 27755.

In connection with the original property sale from the City to GPI, GPI conveyed to the City "Repurchase Rights" (i.e., a right of first refusal) if GPI elects to sell the property while the Convention Center is operated upon the current Convention Center property. See City purchase and sale agreement dated April 16, 2007, paragraph 34 (Parties, City and Buyer); and Memorandum of Option recorded in Deed Book 2305, pages 698-700, Pitt County Registry.

In 2013, the Council also approved a partial subordination agreement virtually identical to the one, which GPI is now asking the Council to approve. At that time, GPI was borrowing money from Goldman Sachs Mortgage Company and Goldman Sachs was to receive a deed of trust from GPI to secure this loan, and the City agreed to execute a partial subordination of the Purchase and Sale Agreement to GPI's lender. See instrument recorded in Book 3101, pages 51-52, Pitt County Registry.

With the execution of the requested partial subordination, the City's right of first refusal will be subordinate to Pinnacle Bank's deed of trust (and the City's repurchase rights are waived only with respect to the sale of the property that would arise during the foreclosure process should Pinnacle Bank foreclose on the Hampton Inn property). All other sales of the Hampton Inn property will continue to be subject to the City's right of first refusal.

Fiscal Note: This Partial Subordination of Purchase and Sale Agreement has no financial impact on the City.

Recommendation: It is recommended that the City Council approve the Partial Subordination of Purchase and Sale Agreement attached.

ATTACHMENTS

 [Partial Subordination Agreement-Greenville Prime II.pdf](#)

(For Recording Data)

Prepared by and return to after recording:
Steven I. Reinhard, Esq.
Reinhard Law, PLLC
5213 Deergass Court
Raleigh, North Carolina 27613

PARTIAL SUBORDINATION OF PURCHASE AND SALE AGREEMENT

This Partial Subordination of Purchase and Sale Agreement (the “*Subordination Agreement*”) is made and entered into as of this ____ day of _____, 2023, by the **CITY OF GREENVILLE**, a North Carolina municipal corporation (“*City*”) to **PINNACLE BANK**, a Tennessee banking corporation, and its successors and assigns (“*Lender*”).

RECITALS

- A. Greenville Prime Investors II, LLC, a North Carolina limited liability company (“*GPI*”), as buyer, and the City, as seller, entered into that certain Purchase and Sale Agreement dated April 16, 2007 (the “*P&S Agreement*”), with regard to the conveyance of a parcel of real property described in a deed dated April 27, 2007, by the City to GPI recorded in Book 2305, page 695, Pitt County Registry (the “*Property*”).
- B. The P&S Agreement included certain agreements and covenants between GPI and the City and certain conditions, requirements and restrictions rights and conditions in favor of the City, all with regard to the operation and subsequent conveyance of the Property after the conveyance by the City to GPI.
- C. To provide record notice of the aforesaid conditions, requirements and restrictions contained in the P&S Agreement in favor of the City, GPI executed that certain Memorandum of Option dated April 27, 2007, and recorded in Book 2305, page 698, Pitt County Registry (the “*Memorandum*”).
- D. In connection with the consummation of a loan to GPI by Lender, GPI executed to PNFP Credit Corp., as trustee, for the benefit of Lender that certain Deed of Trust, Assignment of Rents and Security Agreement dated _____, 2023, and recorded in Book _____, page _____, Pitt County Registry (the “*Security Instrument*”).
- E. As a requirement for the consummation of the aforesaid loan, Lender requires that the City subordinate in part certain conditions, requirements and restrictions contained in the P&S Agreement to certain rights of Lender under the Deed of Trust and the lien and priority thereof, all in accordance with the terms and conditions hereinafter set forth.

NOW, THEREFORE, for and in consideration of the sum of \$1.00 in hand paid and other good and valuable considerations paid to the City, the receipt and sufficiency of which are hereby acknowledged, the City's purchase options to purchase the Property under paragraph 34 of the P&S Agreement, evidenced by the Memorandum, and any and all of the City's rights, title and interest in and to the Property in relation to such options shall be, and the same are hereby expressly made subject, subordinate and inferior to the Security Instrument, and the lien thereof to the extent and only to the extent that the City hereby agrees and acknowledges that the purchase options and requirement of City consent under aforesaid paragraph 34 shall not be exercisable in connection with any of the following: (i) a foreclosure and sale or other suit, sale or proceeding under the Security Instrument, whether judicial or non-judicial, (ii) any deed in lieu of foreclosure that may be given to Lender or its designee or (iii) to the extent Lender or its designee obtains title to the Property pursuant to clause (i) or (ii) above, any subsequent transfer of the Property to the immediate transferee of Lender or its designee.

Such subordination shall not affect the priority of the lien of the Security Instrument in any manner except as hereinabove set forth.

IN WITNESS WHEREOF, the City has hereunto set its hand and seal the day and year first above written.

CITY OF GREENVILLE

By: _____
P.J. Connelly
Mayor

ATTEST:

Valerie Shiuwegar
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF PITT

I, _____, a Notary Public of Pitt County, North Carolina, do hereby certify that Valerie Shiuwegar, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, North Carolina, a municipal corporation, and by authority duly given and as the act of the City of Greenville, the foregoing instrument was signed in its name by Mayor P.J. Connelly, sealed with its corporate seal, and attested by herself as its City Clerk.

Witness my hand and official stamp or seal, this the ____ day of _____, 2023.

My Commission Expires: _____, 20____

Name: _____
Notary Public

[notary seal]



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: First reading of an ordinance requested by the Engineering Department to amend various chapters of the City Code to reflect recent changes in the City's operating structure and development standards

Explanation: On October 1, 2019, the City Manager created the Department of Engineering and named Lisa Kirby as City Engineer and Director. The Engineering Department was formerly organized as a division under the Public Works Department.

Updates to various sections of the City Code are needed to codify a stand-alone Department of Engineering to meet the priorities and initiatives set by City Council. In addition, the Engineering Department has facilitated an extensive stakeholder process resulting in revisions to the Manual of Standard Designs and Details as well as corresponding ordinances. Staff has grouped the revisions into the following categories:

- A. Establishment of the Engineering Department and delineation of responsibilities for the Engineering Department and it's Director.
- B. Revisions to the City's Manual of Standard Designs and Details (MSDD) - The MSDD contains the standards adopted by the City for building infrastructure within the city limits and extra-territorial jurisdiction. The MSDD was recently revised, and the revised version will become effective on September 1, 2023. Several ordinance revisions were necessitated by the MSDD revisions, including but not limited to sections pertaining to driveways, streets, and storm drainage.
- C. Revisions to the Soil Erosion and Sedimentation Control Ordinance - This ordinance is based on the NC Sedimentation Commission's Soil Erosion and Sedimentation Control Model Ordinance. The State's model ordinance has been updated, and the local ordinance is required to mirror those changes.
- D. Updated references to governmental agencies and documents.

The category for each ordinance revision is identified below in parentheses adjacent to each Title, Chapter, and Section number.

The proposed text amendments (redlined) and the proposed Ordinance are attached.

Summary of Proposed Text Amendments (See attachment for full redlined revisions)

That Title 2, Chapter 3, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 2-3-73 (A)

That Title 6, Chapter 1, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 6-1-1 (A)
- 6-1-5 (A)

That Title 6, Chapter 2, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 6-2-12 (B)
- 6-2-33 (D)
- 6-2-36 (A)
- 6-2-37 (A)
- 6-2-40 (B)
- 6-2-40.1 (D)
- 6-2-50 (A)
- 6-2-62 (D)
- 6-2-77 (D)
- 6-2-91 (A)
- 6-2-93 (A)

That Title 8, Chapter 3, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 8-3-7 (A)
- 8-3-9 (D)

That Title 9, Chapter 4, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 9-4-22 (B)
- 9-4-95 (D)
- 9-4-100 (D)
- 9-4-103 (A)

- 9-4-104 (D)
- 9-4-120 (D)
- 9-4-133 (B)
- 9-4-150 (B)
- 9-4-162 (D)
- 9-4-167 (D)
- 9-4-168 (B)
- 9-4-183 (B)
- 9-4-201 (B)
- 9-4-202 (B)
- 9-4-281 (A)

That Title 9, Chapter 5, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 9-5-2 (D)
- 9-5-5 (B/D)
- 9-5-11 (A)
- 9-5-45 (D)
- 9-5-80 (D)
- 9-5-81 (B/D)
- 9-5-82 (B)
- 9-5-120 (D)
- 9-5-123 (B/D)
- 9-5-143 (D)

That Title 9, Chapter 8, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 9-8-3 (C/D)
- 9-8-4 (C)
- 9-8-5 (B)
- 9-8-6 (C)
- 9-8-7 (C)
- 9-8-8 (C)
- 9-8-9 (C)
- 9-8-10 (D)
- 9-8-15 (C)
- 9-8-16 (B)
- 9-8-17 (C)
- 9-8-18 (C)
- 9-8-19 (C)
- 9-8-20 (C)

That Title 9, Chapter 9, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 9-9-3 (A/B/D)
- 9-9-6 (D)
- 9-9-8 (D)
- 9-9-12 (B)
- 9-9-13 (A)
- 9-9-16 (D)

That Title 11, Chapter 1, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 11-1-1 (A)
- 11-1-6 (A)

That Title 12, Chapter 1, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 12-1-11 (A)

That Title 12, Chapter 3, of the City Code be amended as follows:

Remove all the strikethrough text and add the **BOLD** text as shown in the attached for the following sections:

- 12-3-3 (A)

That Title 12, Chapter 5, of the City Code be amended as follows:

Add the **BOLD** text as shown in the attached for the following sections:

- 12-5-8 (A)

Fiscal Note:

No fiscal impact is anticipated with this action.

Recommendation:

Per N.C.G.S. § 160A-175, two readings of this request must be held. This is the first of two readings, and therefore no action is requested on this item. City Council will be requested to take action after a public hearing is held at the May 11, 2023 meeting.

The proposed Zoning Ordinance Text Amendment is in compliance with the following adopted goals and policies of Horizons 2026: Greenville's Community Plan, *Vision Framework #8: Growing Together Greenville will be a place where people and organizations work together to achieve a vitality and character that cannot be accomplished without purposeful coordination and collaboration. This is a community rich with resources and leadership. Multiple governmental*

jurisdictions, institutions, organizations and business have worked over the years to contribute to the success and unique character of the City of Greenville. Relationships and partnerships will continue to evolve in a way that moves the community forward, Growing Together.

Additionally, the Planning and Zoning Commission voted unanimously to recommend approval at its April 18, 2023 meeting.

Therefore, staff will recommend approval at the May 11, 2023 meeting.

ATTACHMENTS

-  [**Ordinance - Engineering Dept Text Amendments.pdf**](#)
-  [**Proposed Engineering Redlined Text Amendments.pdf**](#)

ORDINANCE NO. 23-
AN ORDINANCE AMENDING THE CITY CODE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 6, Chapter 160D, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on the 11th day of May, 2023, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, on May 11, 2023, the City Council of the City of Greenville held a public hearing, and in accordance with the provisions of North Carolina General Statute §160D-605, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendments is consistent with the adopted comprehensive plan and is reasonable and in the public interest;

WHEREAS, a further description on why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, *Vision Framework #8: Growing Together Greenville will be a place where people and organizations work together to achieve a vitality and character that cannot be accomplished without purposeful coordination and collaboration. This is a community rich with resources and leadership. Multiple governmental jurisdictions, institutions, organizations and business have worked over the years to contribute to the success and unique character of the City of Greenville. Relationships and partnerships will continue to evolve in a way that moves the community forward, Growing Together.*

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN, THAT:

Section 1: Titles 2, 6, 8, 9, 11, and 12 of the Code of Ordinances of the City of Greenville, as shown in the attached, are hereby amended by removing all strikethrough text and inserting all red bold text. Revisions to the following Chapters and Sections are included:

TITLE 2 CHAPTER 3 SECTION 73

TITLE 6 CHAPTER 1 SECTION 1
TITLE 6 CHAPTER 1 SECTION 5

TITLE 6 CHAPTER 2 SECTION 12
TITLE 6 CHAPTER 2 SECTION 33

TITLE 6 CHAPTER 2 SECTION 36
TITLE 6 CHAPTER 2 SECTION 37
TITLE 6 CHAPTER 2 SECTION 40
TITLE 6 CHAPTER 2 SECTION 40.1
TITLE 6 CHAPTER 2 SECTION 50
TITLE 6 CHAPTER 2 SECTION 62
TITLE 6 CHAPTER 2 SECTION 77
TITLE 6 CHAPTER 2 SECTION 91
TITLE 6 CHAPTER 2 SECTION 93

TITLE 8 CHAPTER 3 SECTION 7
TITLE 8 CHAPTER 3 SECTION 9

TITLE 9 CHAPTER 4 SECTION 22
TITLE 9 CHAPTER 4 SECTION 95
TITLE 9 CHAPTER 4 SECTION 100
TITLE 9 CHAPTER 4 SECTION 103
TITLE 9 CHAPTER 4 SECTION 104
TITLE 9 CHAPTER 4 SECTION 120
TITLE 9 CHAPTER 4 SECTION 133
TITLE 9 CHAPTER 4 SECTION 150
TITLE 9 CHAPTER 4 SECTION 162
TITLE 9 CHAPTER 4 SECTION 167
TITLE 9 CHAPTER 4 SECTION 168
TITLE 9 CHAPTER 4 SECTION 183
TITLE 9 CHAPTER 4 SECTION 201
TITLE 9 CHAPTER 4 SECTION 202
TITLE 9 CHAPTER 4 SECTION 281

TITLE 9 CHAPTER 5 SECTION 2
TITLE 9 CHAPTER 5 SECTION 5
TITLE 9 CHAPTER 5 SECTION 11
TITLE 9 CHAPTER 5 SECTION 45
TITLE 9 CHAPTER 5 SECTION 80
TITLE 9 CHAPTER 5 SECTION 81
TITLE 9 CHAPTER 5 SECTION 82
TITLE 9 CHAPTER 5 SECTION 120
TITLE 9 CHAPTER 5 SECTION 123
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TITLE 9 CHAPTER 8 SECTIONS 3 THROUGH 10
TITLE 9 CHAPTER 8 SECTIONS 15 THROUGH 20

TITLE 9 CHAPTER 9 SECTION 3
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TITLE 9 CHAPTER 9 SECTION 13
TITLE 9 CHAPTER 9 SECTION 16

TITLE 11 CHAPTER 1 SECTION 1
TITLE 11 CHAPTER 1 SECTION 6

TITLE 12 CHAPTER 1 SECTION 11

TITLE 12 CHAPTER 3 SECTION 3

TITLE 12 CHAPTER 5 SECTION 8

Section 2: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 3: Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4: This ordinance shall become effective on September 1, 2023.

ADOPTED this 11th day of May, 2023.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

TITLE 2 GOVERNMENT AND ADMINISTRATION

CHAPTER 3: BOARDS AND COMMISSIONS

SEC. 2-3-73 ORGANIZATION.

(A) The Environmental Advisory Commission shall adopt bylaws and elect officers from its membership.

(B) The Director of ~~Public Works~~ **Engineering** or designee shall serve as Executive Secretary of the Commission and shall provide technical assistance as necessary.

(Ord. No. 08-27, § 1, passed 3-13-2008)

TITLE 6 PUBLIC WORKS AND ENGINEERING

CHAPTER 1: GENERAL PROVISIONS

Section

6-1-5 Engineering Director; powers and duties

SEC. 6-1-1 PUBLIC WORKS DIRECTOR; POWERS AND DUTIES.

The Public Works Director, under the supervision of the City Manager, shall be responsible for the following functions:

- (A) **Supervision and maintenance of all city streets and sidewalks; including supervision of maintenance crews;**
- (B) **Placement and maintenance of all traffic signs, markings, and painting of all city equipment; Supervision and maintenance of municipal stormwater system;**
- (C) Maintenance and upkeep of city cemeteries;
- (D) Operation of the city garage and maintenance of all city-owned vehicles, tools and equipment;
- (E) Supervision of the collection, handling and disposal of garbage and refuse;
- (F) Management and maintenance of the Greenville Transit Division;
- (G) Performance of other duties as directed by the City Manager; and
- (H) Enforcement of the provisions **as enumerated in** ~~of~~ this title.

(Ord. No. 1059, passed 1-8-1981)

SEC. 6-1-5 ENGINEERING DIRECTOR; POWERS AND DUTIES.

The Engineering Director, under the supervision of the City Manager, shall be responsible for the following functions:

- (A) Management and maintenance of the Stormwater Management Enterprise Fund;**
- (B) Management of the Municipal Separate Storm Sewer System (MS4);**
- (C) Supervision and management of the Soil Erosion and Sedimentation Control Program;**
- (D) Management of the Capital Improvement Program related to City rights-of-way and stormwater utility;**
- (E) Management and enforcement of the Manual of Standard Designs and Details;**

- (F) Placement and maintenance of all traffic signs, pavement markings, and signals;**
- (G) Performance of other duties as directed by the City Manager; and**
- (H) Responsibilities and enforcement of the provisions as enumerated in Titles 6, 8, 9, 10, 11 and 12.**

CHAPTER 2: STREETS AND SIDEWALKS

SEC. 6-2-12 REQUIREMENTS FOR CONCRETE SIDEWALK LAID BY PROPERTY OWNER.

(A) Any person desiring to lay a concrete sidewalk abutting his or her property shall have it ~~laid with the inside of the sidewalk touching his or her property line. The sidewalk shall be~~ constructed in accordance with ~~uniform standards~~ **the Manual of Standard Designs and Details** and specifications prescribed by the City Engineer.

(B) It shall be unlawful for any person to violate this section.

SEC. 6-2-33 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Access point. A point of ingress and egress which may be a private street, driveway or public street.

Apron. The paved area between the gutter flow line of the intersecting roadway and its dedicated right-of-way.

Commercial driveway. A driveway providing vehicular ingress and egress for property used for commercial purposes.

Curb return. The section of curb which deviates, by radius, from the gutter flow line to the abutting property or sidewalk.

Driveway. An area on private property providing ingress and egress for motor vehicles to a public or private right-of-way.

Driveway angle. The angle between the centerline of the driveway and the centerline of the intersecting roadway. "Driveway angles" shall be no less than 60 degrees.

Driveway approach. The improved area between the intersecting roadway and its right-of-way, intended to provide ingress and egress of vehicular traffic to a definite area on private property.

Driveway width. The width of driveway, measured parallel to the edge of the intersecting roadway at its right-of-way line (or at the end of approved radius on street type entrances), from face of curb to face of curb if curb section is installed or edge of pavement for noncurb and gutter section.

Frontage. The length of property adjoining the street right-of-way of a single property, track or development area between the side property lines.

Industrial driveway. A driveway serving as an ingress and egress for property used for industrial purposes.

Island. A raised curb area which serves as a physical barrier preventing left turn movements.

Median. A raised curb area which serves as a physical barrier for separating the flow of traffic into and out of private property.

Multi-family residential driveway. A driveway serving as ingress and egress to property used for residential purposes other than single-family or duplex residential.

Named access. A private driveway assigned a name by the City Engineer.

Private streets. Streets that have been publicly dedicated by easement and as such constitute public vehicular areas as provided and regulated by the Greenville Subdivision Ordinance. These streets are constructed in accordance with Manual of Standard Designs and Details, but are maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed after August 14, 2014.

Public streets. Streets that have been accepted or are in the process of being accepted for permanent maintenance by either the State of North Carolina or the city. This includes roadways defined as “approved streets” in section 9-5-5 of the subdivision regulations.

Ramp-type driveway approach. A driveway characterized by a tapered curb cut and a continuous sidewalk, if present, that is incorporated as part of the driveway.

Residential driveway. A driveway providing vehicular ingress or egress for individual residential property used for single-family or duplex residential purposes.

Right-of-way. The area within legally defined property boundaries where title, easement, dedication or other property right rests with the city or state and is designated or intended for use as a public street or roadway.

Sidewalk. An improved area on public or private property, generally parallel to edge of street roadway or curb, where pedestrians walk or stand.

Sight distance.

(1) An imaginary line drawn across the corner of a parcel of property that is located at the intersection of two streets. The end points of the line are located by beginning at the intersection of the right-of-way lines and proceeding along the right-of-way lines a distance indicated below.

(a) Two nonthoroughfare streets intersecting: 25 feet;

(b) Nonthoroughfare street intersecting a thoroughfare street: ten feet along the nonthoroughfare and 70 feet along the thoroughfare; and

(c) Two thoroughfare streets intersecting: 40 feet.

(2) The sight distance line is created by connecting these two points with a straight line. On median divided streets, the sight distance shall include the portion of the median within ten feet of the right-of-way of the intersected street (ultimate thoroughfare right-of-way if the intersected street is a thoroughfare). No above-grade structures or vegetation in excess of 30 inches in height above adjacent edge of pavement shall be allowed within the sight distance.

Special commercial driveway. This classification is primarily for high volume traffic generators. Examples of this classification are: large shopping centers (generally in excess of 75,000 square feet), major recreational facilities, large office buildings and/or complexes containing more than 200 parking spaces, hospitals, large industrial developments, airports and civic centers.

Street-type driveway entrance. A driveway approach characterized by a large radius and vertical curbs with the appropriate wheel chair ramps.

Thoroughfare, major. Roads which are the principal traffic carriers of the urban area. Their function is to move intra-urban and inter-urban traffic. Refer to the **Highway Map of the Comprehensive Transportation Plan** ~~city thoroughfare plan~~ as amended for streets classified as “major thoroughfares.”

Thoroughfare, minor. Roads which serve the function of collecting traffic from local streets, such as residential, commercial or industrial, and carrying it to the major thoroughfare system. Refer to the **Highway Map of the Comprehensive Transportation Plan** ~~city thoroughfare plan~~ as amended for streets classified as “minor thoroughfares.”

(Ord. No. 2371, § 1, passed 9-23-1991; Ord. No. 2566, § 1, passed 1-14-1993; Ord. No. 14-049, § 1, passed 8-14-2014)

SEC. 6-2-36 SUBMISSION OF PLANS; INFORMATION REQUIRED.

(A) No permit shall be issued until there is filed with the City Engineer for approval: a city driveway permit application, ~~two copies of the~~ site plans showing information as described in section 6-2-36(C) below and payment of appropriate fees as shown in the city Manual of Fees.

(B) In the case of driveways on roadways that are a part of the North Carolina Department of Transportation street system, inside the corporate limits of the city, no permit shall be issued until there is filed with the City Engineer for approval five copies of the N.C. D.O.T.’s “Street and Driveway Access Permit Application,” site plans showing location and dimensions of all proposed and existing driveways and payment of appropriate fees as shown in the city Manual of Fees.

(C) Information that must be shown on plans submitted shall include:

- (1) Location of property and property owners;
- (2) The nature of the present and proposed property use;
- (3) The location of all existing and proposed buildings;
- (4) Street pavement and right-of-way width;
- (5) Location and dimensions of existing and proposed driveway approaches on both sides of the affected roadway;
- (6) For commercial and/or industrial buildings, the proposed location of off-street loading and unloading facilities;

(7) Interior parking arrangements and traffic circulation patterns;

(8) The location of the property must be identified by street, street address, map block, lot number and subdivision name, so that it may be located in the field;

(9) Complete names and addresses of the property owners and the applicants must be given on the application;

(10) The planned use of the property must be indicated as one of the following:

(a) Residential, single-family or duplex;

(b) Residential, multi-family;

(c) Commercial;

(d) Industrial;

(e) Institutional;

(f) Governmental; and

(g) Automobile fuel/gasoline sales.

(11) Plans shall show retaining walls, drainage, utility poles, water, sanitary sewer, electric, gas and other physical features which may affect the driveway location; and

(12) Location of sight distance line(s).

(Ord. No. 2371, § 1, passed 9-23-1991)

SEC. 6-2-37 PERMIT INSPECTIONS.

(A) Once the permit is duly issued, the supervisor on the driveway construction site shall keep the permit available for on-the-job inspection by authorized personnel of the city. In the event of failure to comply with the terms of the permit, faulty workmanship and/or materials, the City Engineer or his or her authorized agent shall have the right to stop the work until such time as the objectionable conditions are corrected. All cost incurred in the removal and/or correction of noncompliance with design, defective workmanship or materials shall be borne by the applicant.

(B) The owner/applicant shall notify the Engineering ~~and Inspections~~ Department after the driveway is formed for inspection.

(C) All driveways are to be inspected by the City Engineer or designee prior to the placement of concrete.

(Ord. No. 2371, § 1, passed 9-23-1991)

SEC. 6-2-40 WIDTH OF DRIVEWAY APPROACH STANDARDS.

(A) The width of the driveway approach shall be within the minimum and maximum limits as specified below:

Location	Minimum F/F Curb Section	Maximum F/F Curb Section
Residential (single-family/duplex)	10 ft.	22 ft.
Residential (duplex – shared driveway)	10 ft.	26 ft.
Residential (multi-family)	12 ft. (one-way) 24 ft. (two-way)	16 ft. (one-way) 36 ft. (two-way)
Commercial, industrial, governmental or institutional	12 ft. (one-way) 24 ft. (two-way)	18 ft. (one-way) 36 ft. (two-way)
Street type driveway	24 ft.	36 ft.
Special commercial	24 ft.	48 ft.

(B) The width of the driveway approach shall be measured at the right-of-way line or at the end of approved radius on street type entrances when the radius extends beyond the right-of-way line. For driveways with an approach angle other than 90 degrees, the width will be measured at either of the above described points perpendicular to the driveway curb line.

(C) The radius of curvature of the back of curb of the return radius for street-type entrances shall be within the minimum and maximum limits as specified below:

Location	Minimum Radius	Maximum Radius
Residential (single-family/duplex)	5 ft.	10 ft.
Residential (multi-family)	5 ft.	25 ft.
Commercial, industrial, governmental or institutional	5 ft.	50 ft.

(D) The minimum angle of the driveway with respect to pavement edge shall be 60 degrees.

(E) Private street entrances shall conform to the Manual of Standard Designs and Details.

(F) Medians may be permitted for street type driveways and private street entrances only upon approval of the City Engineer and subject to the following conditions:

(1) The “nose” of an approved median, used on private drives intersecting streets with curb and gutter, shall be flush with the face of curb of the intersected street. If the intersected street does not have curb and gutter, then the median “nose” shall be no closer than six feet and no more than 12 feet from the edge of pavement of the street. Note that these requirements allow construction of medians within public right-of-way, but this does not allow the construction of any other permanent features such as trees, utility poles, fire hydrants, entrance signs and the like

within the public right-of-way. No shrubs will be allowed on medians in the public right-of-way that are in excess of 30 inches in height. If and when the street that the median encroaches upon is widened, the owner/applicant shall be responsible for the removal of the median and appurtenances. Maintenance of the median shall be the responsibility of the owner/applicant;

(2) The minimum width of the median as measured nearest the right-of-way line (excluding the nose) shall be five feet; the minimum length measured from the right-of-way line shall be 25 feet; the maximum width of median shall be 20 feet;

(3) The combined width of pavement of the separated driveway segments shall not exceed 48 feet; and

(4) Medians shall not be permitted for ramp-type driveways.

(G) Island size(s) shall be reviewed and approved on a case-by-case basis by the City Engineer as deemed appropriate for the control of traffic movements in areas of vehicular congestion.

(Ord. No. 2371, § 1, passed 9-23-1991)

SEC. 6-2-40.1 NUMBER OF DRIVEWAYS.

(A) Tracts, lots of record and preliminary plats existing prior to the effective date of this article.

(1) (a) Along major thoroughfares the number of driveways allowed shall be as follows and subject to subsequent spacing requirements.

Property Frontage (F) (in feet)	No. of Driveways Allowed
F less than or equal to 300	1
F greater than 300, but less than or equal to 800	2
F greater than 800	Possibly 3

(b) Two driveways is the maximum number of driveways allowed per street frontage for any one lot. The City Engineer may approve the use of three driveways on one lot, provided the property has more than 800 feet of frontage and the development plan for the complete tract of land is submitted.

(2) (a) Along minor thoroughfares the number of driveways allowed shall be as follows and subject to subsequent spacing requirements.

Property Frontage (F) (in feet)	No. of Driveways Allowed
F less than or equal to 250	1
F greater than 250, but less than or equal to 600	2
F greater than 600	Possibly 3

(b) Two driveways is the maximum number of driveways allowed per street frontage for any one lot. The City Engineer may approve the use of three driveways on one lot, provided the property has more than 600 feet of frontage and the development plan for the complete tract of land is submitted.

(3) Along nonthoroughfare streets a maximum of two driveways will be allowed for any one lot subject to subsequent spacing requirements. A lot with frontage in excess of 400 feet can apply for three driveways, subject to review of the development plan for the complete tract of land.

(4) When a single-family residence is located along a major or minor thoroughfare, a loop driveway can be allowed, provided the lot has a minimum of 70 feet of frontage along the thoroughfare and there is a minimum of 30 feet separation between adjacent edges of pavement.

(B) Subdivision, redivision or recombination of tracts occurring after the effective date of this article.

(1) Where the division or development of land is subject to the adopted **Highway Map of the Comprehensive Transportation Plan** ~~thoroughfare plan~~ and policies as amended, all driveways for all subsequent or resulting tracts, lots or parcels shall not exceed the total number of driveways allowed pursuant to sections 6-2-40.1(A)(1) and (2) of this section.

(2) Where the division or development of land is not subject to the adopted **Highway Map of the Comprehensive Transportation Plan** ~~thoroughfare plan~~ and policies as amended, all driveways for all subsequent or resulting tracts, lots or parcels shall be subject to section 6-2-40.1(A)(3) above, unless otherwise provided.

(Ord. No. 96-92, § 1, passed 9-12-1996)

SEC. 6-2-50 APPLICABILITY; ASSIGNMENT AND DISPLAY OF ADDRESS NUMBERS GENERALLY.

(A) Applicability of article. This article shall apply to the area within the “address boundary” as established in an interlocal agreement between the City of Greenville and the County of Pitt dated October 13, 1994.

(B) Duty of owner to display number. It shall be the duty of each owner of a residential, institutional, industrial or commercial building to clearly display the proper street address number of the assigned building so as to be visible from the nearest public vehicular area, as defined in G.S. 20-4.01.

(C) City Engineer to assign numbers. The City Engineer shall be responsible for assigning proper street address numbers. Property owners shall be responsible for applying by mail, or in person, to the ~~engineering division of the Public Works~~ **Engineering** Department for the assignment of proper address.

(Ord. No. 1786, § 1, passed 11-12-1987; Ord. No. 94-137, § 1, passed 10-13-1994)

SEC. 6-2-62 MINIMUM SUBMISSION STANDARDS.

All applications for an outdoor dining permit shall be submitted on a form provided by the city and contain the following information:

(A) Five (5) copies of a scaled sketch plan showing the proposed outdoor dining area boundary and surrounding streetscape details including property lines, sidewalks, lighting, trees, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants. The plan shall also include location, number and arrangement of tables, chairs and other appurtenances. The plan will be reviewed for compliance with applicable rules, regulations, ordinances, law, and statutes by the following departments/divisions: Police, Fire/Rescue, Engineering, and **Planning and Development Services Inspections**;

(B) Valid privilege license from the City of Greenville;

(C) State ABC license to serve alcoholic beverages in the outdoor dining area (if alcoholic beverages are served);

(D) City beer/wine license to serve alcoholic beverages in the outdoor dining area (if alcoholic beverages are served);

(E) Proof of valid insurance policy that provides a minimum liability of \$ 1,000,000, and has the City of Greenville designated as an additional insured under the policy; and

(F) Written permission of abutting property owner (if outdoor dining area includes an area adjacent to the abutting property beyond the property upon which the restaurant or dining and entertainment establishment is located).

(G) The applicant agrees to maintain no less than four feet (48 inches) minimum pedestrian clearance at all times and demarcated by a City of Greenville outdoor dining emblem.

(Ord. 13-022, § 1, passed 5-9-2013; Ord. No. § 2, passed 4-8-2019)

SEC. 6-2-77 MINIMUM SUBMISSION STANDARDS.

All applications for an outdoor dining permit in the uptown parking deck plaza shall be submitted on a form provided by the city and contain the following information:

(A) Five copies of a scaled sketch plan showing the proposed outdoor dining area boundary and surrounding streetscape details including property lines, sidewalks, lighting, trees, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants. The plan shall

also include location, number and arrangement of tables, chairs and other appurtenances. The plan will be reviewed for compliance with applicable rules, regulations, ordinances, law, and statutes by the following departments/divisions: Police, Fire/Rescue, Engineering, and **Planning and Development Services Inspections**.

(B) State ABC license to serve alcoholic beverages in the outdoor dining area (if alcoholic beverages are served);

(C) City beer/wine license to serve alcoholic beverages in the outdoor dining area (if alcoholic beverages are served);

(D) Proof of valid insurance policy that provides a minimum liability of \$1,000,000, and has the city designated as an additional insured under the policy; and

(E) Written permission of abutting property owner (if outdoor dining area includes an area adjacent to the abutting property beyond the property upon which the restaurant or dining and entertainment establishment is located).

(F) The applicant agrees to maintain no less than four feet (48 inches) minimum pedestrian clearance at all times.

(Ord. 15-045, § 1, passed 8-13-2015; Ord. No. 19-020, § 4, passed 4-8-2019)

SEC. 6-2-91 DEFINITIONS.

For the purposes of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Applicant means a person who applies to use city right-of-way to install distributed antenna system (DAS) equipment.

City right-of-way means areas dedicated for public use as streets that have been accepted for permanent maintenance by the City of Greenville.

Distributed antenna system (DAS) equipment means antenna and supporting equipment connected to a common source that provides wireless service within a geographic area or structure, including the pole or similar structure upon which the antenna and supporting equipment is attached.

Distributed antenna system (DAS) equipment permit means the permit for a person to install or maintain distributed antenna system (DAS) equipment on or in city right-of-way pursuant to a permit issued under this article.

Director means the Director of the Greenville **Public Works Engineering** Department or, unless the context indicates otherwise, the Director's designee.

User means a person who has been granted the right to install or maintain distributed antenna system (DAS) equipment under this article.

(Ord. No. 16-067, § 1, passed 12-8-2016)

SEC. 6-2-93 APPLICATION TO USE CITY RIGHT-OF-WAY.

(A) Authorized user. Unless otherwise required by law, only a person who holds a valid permit, franchise, license, or other authority, to use a city right-of-way will be granted a distributed antenna system (DAS) equipment permit. An applicant's use of city right-of-way is limited to the purposes specified in the applicant's franchise, permit, license, or other authority. Distributed antenna system (DAS) equipment used for a purpose not authorized by an applicant's permit, franchise, license, or other authority, is unauthorized distributed antenna system (DAS) equipment. A person who applies to use city right-of-way for a private purpose will not be granted a distributed antenna system (DAS) equipment permit.

(B) Application process. An applicant must file an application with the city to use city right-of-way on a form as prescribed by the Director. The Director shall consider each application on a first come, first served basis. If an application cannot be approved as presented, the Director may approve a conditional application.

(C) Denial of an application.

(1) The Director may deny an application for a distributed antenna system (DAS) equipment permit if:

- a. The applicant fails to submit a complete application;
- b. The applicant fails to supplement its application with additional information or otherwise cooperate with the city as requested in the evaluation of the application;
- c. The applicant fails to submit a structural engineering analysis by a North Carolina registered professional engineer certifying that the pole or other structure that is proposed to support the distributed antenna system (DAS) equipment can reasonably support the proposed distributed antenna system (DAS) equipment considering the conditions of the street and the anticipated hazards from traffic to be encountered at the location;
- d. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment would present a safety hazard;
- e. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment is not adequately shrouded or camouflaged and, as a result, would, in the opinion of the Director, create adverse visual impact;
- f. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment is located in a location which would, in the opinion of the Director, have a substantial adverse impact on a single property;
- g. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment is located too near other structures within the city right-of-way which would, in the opinion of the Director, create adverse visual impact;

h. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment would impair the city's ability to operate or maintain the city right-of-way in a reasonable manner;

i. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment and its placement would violate the city's standard design criteria;

j. The Director determines, in the Director's judgment, that the proposed distributed antenna system (DAS) equipment would violate the provisions of the Zoning Ordinance;

k. The applicant is not in compliance with any provision of this article; or

l. The applicant fails or refuses to sign a written agreement presented by the Director to the applicant intended to assist with the implementation of the provisions of this article or intended to assist with the implementation of the policies and regulations developed by the Director that are intended to preserve the city's right to control of the city right-of-way.

(2) If an application is denied, the Director shall notify the applicant in writing of the reason for the denial. If an application is denied, an applicant may file a new application that corrects the reason for the denial. If an application is denied, the applicant may appeal the denial to the Director of ~~Public Works~~ **Engineering** for reconsideration no later than the thirtieth day after the date of the denial.

(D) Additional costs. The applicant or user is responsible for all costs as determined by the city to replace, enlarge, or upgrade city right-of-way to accommodate the applicant's proposed distributed antenna system (DAS) equipment.

(E) Permit requirements. A user may not change the number, kind, or location of distributed antenna system (DAS) equipment, the method of construction or installation, or the use of the distributed antenna system (DAS) equipment authorized under a distributed antenna system (DAS) equipment permit without the prior written consent of the Director.

(Ord. No. 16-067, § 1, passed 12-8-2016)

TITLE 8 PUBLIC UTILITIES

CHAPTER 3: STORMWATER MANAGEMENT UTILITY

SEC. 8-3-7 BILLING AND COLLECTION.

(A) Method of billing. Billing and collection of the stormwater service charge and any other rents, rates, fees, charges and penalties for stormwater management services and facilities may be accomplished in any manner deemed appropriate by the City Manager.

(B) Delinquencies. A stormwater utility service charge billing or other billing for rents, rates, fees, charges and penalties associated with the stormwater utility shall be declared delinquent if not paid within 60 days of the date of billing. A delinquent billing shall accumulate an additional penalty at the rate as established for delinquent, unpaid property taxes and shall run from the date of the original billing. This penalty shall be termed a delinquency penalty charge.

(C) Appeal of disputed bills, adjustments. If any customer disputes the stormwater utility service charge or any other rents, rates, fees, charges, or penalties adopted pursuant to this chapter, that customer must appeal the billing within 60 days of the charge, stating the reasons for the appeal, and providing information pertinent to the calculation of the bill. An appeal of a disputed bill shall be filed with the ~~Public Works~~ Director **of Engineering**, who may direct that the appeal be reviewed and resolved by the stormwater utility staff. If the customer is not satisfied with the disposition of the appeal, the customer may further appeal the disputed charge to the City Manager or his or her designee who shall make the final ruling on the validity of the appeal. The administrative remedies provided in this chapter shall be exhausted before recourse to a court of competent jurisdiction.

(Ord. No. 02-133, § 2, passed 12-12-2002)

SEC. 8-3-9 CREDITS AND EXEMPTIONS.

(A) Credit for mitigation measures. Credits against stormwater management utility service charges are an appropriate means of adjusting fees, rates, rentals, charges, fines and penalties in certain cases. Crediting mechanisms may be established by City Council and, when established, a credit manual shall be issued that will set forth the appropriate process and documentation to obtain such credits. No exception, credit, offset or other reduction in stormwater service charges shall be granted based on age, race, tax status, economic status or religion of the customer, or other condition unrelated to the stormwater utility's cost of providing stormwater services and facilities.

(B) Exemptions. Except as provided in this section, no public or private property shall be exempt from stormwater service charges or receive a credit against such service charges. The following exemptions shall be allowed:

(1) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the North Carolina Department of Transportation and are available for use in

common for vehicular transportation by the general public shall be exempt from the stormwater service charge;

(2) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the city and are available for use in common for vehicular transportation by the general public shall be exempt from the stormwater service charge; and

(3) Railroad rights-of-way used exclusively for trackage and related safety appurtenances shall be exempted from the stormwater service charge.

(4) Airport runways and taxiways subject to NCGS 160A-314(a1)(6).

(Ord. No. 02-133, § 2, passed 12-12-2002)

TITLE 9 NEW (NCGS 160D-Update) BUILDING, PLANNING AND DEVELOPMENT REGULATIONS

CHAPTER 4: ZONING

SEC. 9-4-22 WORDS AND TERMS DEFINED.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building. A subordinate building or structure located on the same lot as, and detached from, the principal building, the use of which is an accessory use to that of the principal building.

Accessory use. A use which meets the following conditions:

- (1) A use located on the same lot as the principal use, whether located in the same building, in an accessory building or as an accessory use of land;
- (2) Is incidental to and subordinate to the principal use;
- (3) Will be constructed, maintained and conducted to avoid creation of a nuisance or hazard to the principal use or area uses to a greater degree than that which can be expected by the principal use prior to creation of the accessory use;
- (4) In no case shall storage space and the operation of an accessory use exceed 20% of the total square footage of the building(s) or 20% if the total land area used where the principal use is located;
- (5) Does not enlarge, expand, or change the nature of the use of an otherwise nonconforming principal use;
- (6) Shall not be established until approval of all required permits for the principal and the accessory use or activity; and
- (7) Meeting all standards for the use, as required by the Chapter, as though it were a principal use, except parking

Accessory use; Alcohol Sales. Allows the on-premise sale and consumption of malt beverages, unfortified and fortified wine, and spirituous liquor. A use which meets the following conditions:

- (1) A use located on the same lot as the principal use, whether located in the same building, in an accessory building or as an accessory use of land;
- (2) Is incidental to and subordinate to the principal use;
- (3) Will be constructed, maintained and conducted to avoid creation of a nuisance or hazard to the principal use or area uses to a greater degree than that which can be expected by the principal use prior to creation of the accessory use;

- (4) In no case shall storage space and the operation of an accessory use exceed 20% of the total square footage of the building(s) or 20% if the total land area used where the principal use is located;
- (5) Does not enlarge, expand, or change the nature of the use of an otherwise nonconforming principal use;
- (6) Shall not be established until approval of all required permits, including but not limited to special use permits, ABC permits and local beer and wine licenses, for the principal and the accessory use or activity;
- (7) Shall only be permitted in the zoning districts as shown in Title 9, Chapter 4, Article U, Appendix A, Table of Uses;
- (8) Shall only be permitted as an accessory to the following uses as listed in Title 9, Chapter 4, Article U, Appendix A, Table of Uses:

(10)Retail Sales

- a. Miscellaneous retail sales; nondurable goods; not otherwise listed
- p. Furniture and home furnishing sales not otherwise listed
- r. Antique sales, excluding vehicles
- s. Book or card store; news stand
- t. Hobby or craft shop
- v. Video or music store; record, tape, compact disc and the like sales
- x. Sporting goods sales and rental shop

- (9) Meeting all standards for the use, as required by the Chapter, as though it were a principal use, except parking.

Administrative decision. A decision made in the implementation, administration, or enforcement of development regulations that involves the determination of facts and the application of objective standards set forth in this Ordinance.

Administrative hearing. A proceeding to gather facts needed to make an administrative decision.

Adult use. Any principal or accessory use which excludes minors by reason of age. This definition shall not apply to any exclusion due to applicable alcoholic beverage control laws or voluntary restrictions of the motion picture industry.

Airport zoning ordinance terms and definitions. See Title 9, Chapter 3, Greenville City Code.

Alley. A public vehicular or pedestrian way which affords only a secondary means of access to abutting property.

Animal boarding; outside facility. Any facility for the purpose of boarding domesticated animals on a commercial basis or as an accessory use to district uses. This definition does not include

livestock sales pavilions, auditoriums, yards, distribution facilities, transshipment facilities or slaughterhouses.

Article. As used herein, shall refer to those articles found within this chapter, unless otherwise referenced.

Athletic club. A commercial establishment engaged in providing a variety of apparatus and facilities, to individuals and/or groups of persons, for purposes of physical exercise, athletic competition, and related recreational, educational and personal development activities. An “athletic club” may include the following accessory activities: racquetball courts, basketball courts, volleyball courts, tennis courts and the like; swimming pools, lap pools, diving pools, water slides and the like; roller skating, roller blading, ice skating, skate boarding and the like, soccer fields, baseball/softball fields and the like; track and field event facilities; exercise programs including aerobic and strength training; personal training, fitness evaluation, massage therapy treatment by members in the American Massage Therapy Association or equivalent per Title 11, Chapter 10, Article B, section 11-10-11 of the City Code, as amended, wellness and health education programs; ancillary food services such as an employee and/or patron cafeteria or eating area.

Automobile graveyard. An establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts. Any establishment or place of business upon which six or more unlicensed, used motor vehicles which cannot be operated under their own power are kept or stored for a period of 15 days or more shall be deemed to be an “automobile graveyard.” See also definition of junkyard.

Automobile, truck, recreational vehicle, motorcycle and boat sales. Establishments engaged in the retail and/or wholesale of new and/or used automobiles, trucks, recreational vehicles and campers, motorcycles and motor boats including other watercraft, trailers, marine supplies and outboard motors, collectively referred to as vehicles for purposes of this definition. These establishments frequently maintain repair departments (see also major and minor repair) and carry stocks of replacement parts and accessories. For purposes of interpretation, the concurrent display for sale of not more than any five such vehicles upon a lot containing a legal nonresidential principal use may be considered an accessory use in accordance with applicable conditions set forth by definition. Specifically, the concurrent display for sale of not more than any five such vehicles upon any lot containing a legal vehicle-related major or minor repair establishment, or a bank, savings and loan or other lending institution engaged in the repossession of vehicles shall be considered an accessory use to the principal use.

Bar

(1) An establishment of which the principal use is primarily engaged in the business of selling alcoholic beverages and for consumption on the premises. A bar shall not include a brewery, winery, or distillery. A bar must meet all of the following:

- (a) May provide live or recorded amplified music;
- (b) May provide a floor show;
- (c) May provide a dance area;

(d) May offer a full service bar; and

(e) Does not qualify under the definitions of restaurant, fast food; restaurant, conventional; or bar 2022 as contained in this section.

Any proposed or established “restaurant; conventional” that does not comply with the definition, standards or requirements applicable to a “restaurant; conventional” as contained herein shall be classified as a “bar” for purposes of zoning regulation.

Bar 2022. An establishment of which the principal use is entertainment and which meets all of the following:

(a) Occupies less than 2,000 square feet of space of premises;

(b) May provide live or recorded amplified music;

(c) May provide a floor show;

(d) May provide a dance area;

(e) Shall only be allowed with a special use permit in the following geographic area:

Uptown District: Beginning at the intersection of West Third Street and South Pitt Street, between along West and East Third Streets between South Pitt Street and Reade Street; Reade Street and Reade Circle between East Third Street to Cotanche Street; Cotanche Street between Reade Circle to East Eighth Street; East Eighth Street between Cotanche Street and Evans Street; Evans Street between East Eighth Street and East Tenth Street; West Tenth Street between Evans Street and Coastal Seaboard Railroad; Coastal Seaboard Railroad between West Tenth Street and West Fifth Street; West Fifth Street between Coastal Seaboard Railroad and Pitt-Greene Connector; South Pitt Street between West Fifth Street to West Third Street and returning to the point of beginning.”

Bed and breakfast inn home occupation. A single-family dwelling within which the resident owner offers temporary overnight accommodations to visitors for compensation. The use may be allowed as an accessory use home occupation to a single-family dwelling upon special use permit approval of the Board of Adjustment and in accordance with the additional conditions and requirements of section 9-4-86(U).

Beekeeping; major use. Use of any lot or building for the keeping of more than six hives.

Beekeeping; minor use. Use of any lot or building for the keeping of not more than six hives.

Best management practices (BMPs). See Article L.

Billiard parlor; pool room. Any establishment that has more than four billiard/pool tables or whose principal purpose is the operation of a billiard parlor or pool room regardless of the total number of billiard/pool tables.

Board of Adjustment. See Article S.

Boarding or rooming house. Any single-family dwelling, in which space is let by the owner occupant to not more than four persons who are not related by blood, adoption or marriage to the owner occupant. See also definition of family.

Bona fide farm. A farm used for purposes including the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S. 106.581.1. Activities incidental to the farm include existing or new residences occupied by the owner, lessee, or operator of the farm and other buildings or structures supporting the farm use and operation (see G.S. 160D-903).

Buffer; water supply watershed. An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the top of bank of each side of streams or rivers.

Bufferyard. See Article G.

Building. A structure with a roof which is designed or intended for the shelter, support, protection or enclosure of persons, animals, or property of any kind.

Building inspector. The person, officer or official or his or her authorized representative, whom the City Council has designated as its agent for the enforcement of the provisions of Title 9, Chapter 1, Inspections and Code Enforcement, of the City Code and the administration of duties as further provided under this chapter.

Built-upon area. Includes that portion of a development project that is covered by impervious or partially impervious cover, including buildings, pavement, gravel roads, recreation facilities (e.g., tennis courts) and the like (note: wooden slatted decks and the water area of a swimming pool are considered pervious).

Campus. The grounds of a school, college, university, hospital, church, or other institution that consists of several buildings developed and operated under a unified concept on a single tract of land or on multiple tracts of land which are in close proximity.

Catalogue processing center. An establishment engaged in the processing of mail/phone orders from merchandise catalogue(s) for on-site and/or remote transshipment of goods. All other principal and/or accessory use activities, including but not limited to retail/wholesale sales, manufacturing, storage, warehousing and the like, conducted in conjunction with any "catalogue processing center" shall be subject to independent approval in accordance with district regulations.

Catering service. An establishment engaged in the preparation and retail sale of food in a ready-to-consume state, for delivery and/or carry-out service, for off-site consumption at remote locations. The use shall not offer drive-through or drive-in services. See also definitions of restaurant, conventional and restaurant, fast food.

Certificate of compliance. A document that is required to represent that the work, as described in the permit documents, has been completed.

Chapter. As used herein shall refer to this chapter, Chapter 4, Zoning Ordinance for Greenville, North Carolina, unless otherwise referenced.

Church or place of worship. A building in which persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship and holding a certificate of nonprofit organization from the Secretary of State.

City Council. The governing body of the city as provided by the Charter of the City of Greenville, North Carolina. The Mayor and Council on behalf of the city, and in conformity with applicable laws, provide for the exercise of all municipal powers and are charged with the general government of the city.

Civic organization. A community-oriented humanitarian and social organization holding a certificate of nonprofit organization from the Secretary of State.

Close familial relationship. A spouse, parent, child, brother, sister, grandparent or grandchild. Includes the step, half, and in-law relationships.

Commercial agricultural facility. A commercial establishment designed to accommodate a variety of commercial uses adjacent to a farm.

(Ord. No. 20-059, § 1, passed 10-19-2020)

Convenience store. Any food-personal merchandise store which sells at retail only prepackaged food and beverage products, personal toiletries, sundries, over-the-counter medications, household supplies, magazines, and the like in combination from a limited inventory and does not stock poultry or meats.

County government operation center. A planned and unified development owned and operated by the county for the purpose of governmental service delivery to county residents. The development shall contain not less than 100 contiguous gross acres exclusive to itself and its various subparts contained therein. The term shall include offices, fire station, Sheriff Department, county jail, court, library, museum, recreation and craft facilities, park, auditorium, gymnasium, vehicle and equipment minor and major repair, indoor and outdoor storage, warehouse, health and/or social service clinic, adult education, adult and child day care, cooking and dining facilities, group care facilities and social and civic meeting rooms. Uses not specifically listed above shall only be allowed in accordance with the table of permitted and special uses for the particular district, as set forth in section 9-4-78 and Appendix A to this chapter.

County, state or federal government building or use. Any building, structure or use of the county, state or federal government or their various subparts. The term shall include offices, libraries, fire stations, sheriff department, court, recreation facilities and parks. Uses not listed above shall only be allowed in accordance with the table of permitted and special uses for the particular district.

Data processing center. A building or dedicated space within a building used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling

and storage facilities, utility substations, and other associated utility infrastructure to support operations.

Day care; adult. An establishment which provides for the care and supervision of six or more aged, handicapped or disabled adults away from their homes by persons other than their family members, custodians or guardians for periods not to exceed 18 hours within any 24-hour period.

Day care; child. An establishment which provides for the care and supervision of six or more children away from their homes by persons other than their family members, custodians or guardians for periods not to exceed 18 hours within any 24-hour period.

Determination. A written, final, and binding order or requirement regarding an administrative decision.

Developer. A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

Development. Any change to improved or unimproved real estate requiring a permit from the City of Greenville, including but not limited to, the building, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure: excavation, grading, filling, clearing, or alteration of land; the subdivision of land as defined in G.S. 160D-802: or initiation or a substantial change in the use of land or the intensity of the use of land, (see 160D-102(12)).

Development approval. An administrative or quasi-judicial approval made in accordance with G.S. Chapter 160D that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to Title 9 of the Code of Ordinances, including plat approvals, permits issued, development agreements entered into, and building permits issued.

Development regulation. A zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted in accordance with G.S. Chapter 160D, or a local act or charter that regulates land use or development.

Digital broadcast studio. An establishment containing one or more studios for the staging and recording, as well as digital distribution, of video or audio productions. Such productions include, but are not limited to, music, web streaming and non-feature length film.

Dining and entertainment establishment. See definition of restaurant, conventional.

Director of Planning and Development Services. The person, officer or official, or his or her authorized representative, whom the City Council has designated as its agent for the acceptance, coordination and approval of all plans and permits required by this chapter, unless otherwise specifically provided in the particular case. The “Director of Planning and Development

Services” shall, excepting City Manager authority, have final administrative interpretation concerning the meaning, requirement or extent of any section, graphic or description set forth by this chapter, unless otherwise specifically provided in the particular case.

Distributed antenna system (DAS) equipment. A network of spatially separated antenna sites and supporting equipment connected to a common source that provides wireless service within a geographic area or structure. DAS and DAS equipment are not considered a public utility or use and as such, are not exempt from placement preference regulations when DAS equipment is proposed on city-owned property, within public rights-of-way and on or adjacent to existing or planned sidewalks as set forth in section 9-4-103(Q). The equipment and structures to support DAS are free-standing telecommunication towers even if they are intended to replace existing light poles, utility poles, or similar structures.

District; zoning. A section of the city or its extraterritorial area within which the zoning regulations are uniform.

Domestic Violence Center. A home for adults and children seeking relief and refuge from family violence and abuse.

Dormitory. A building or group of buildings where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management, such as a college dormitory or privately owned dormitory intended for use by college students.

Down-zoning. A zoning ordinance that affects an area of land by either a) decreasing the development density of the land to be less dense than was allowed under its previous usage or b) reducing the permitted uses of land that are specified in a zoning ordinance to fewer uses than were allowed under its previous zoning classification.

Drive-through facilities. Facilities which are accessory to a principal use whereby goods or services may be offered directly to customers in motor vehicles by means which eliminate the need for customers to leave their motor vehicles. Each pickup point and associated order point(s) shall constitute a single facility.

(Ord. No. 19-057, § 1, passed 12-12-2019)

Driveway and related terms. See Title 6, Chapter 2, Article B of the City Code.

Durable goods. Any commodity whose useful life is expected to exceed three or more years.

Dwelling. Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. For the purposes of G.S. 160D Article 12, the term does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.

Dwelling unit. A single independent housekeeping unit with sanitation, living, dining, sleeping, and permanently installed kitchen facilities for use by one family.

Dwelling; single-family. A separate and detached structure containing one dwelling unit designed for occupancy by one family on an individual lot exclusive to the unit and its accessory use.

Dwelling; two-family attached (duplex). A separate and detached structure containing two attached dwelling units, each designed for occupancy by one family on an individual lot exclusive to the units and their accessory uses.

Dwelling; multi-family. A separate and detached structure or group of structures containing three or more total dwelling units on a common lot and sharing common facilities; or two or more single-family or two-family attached dwellings located on a common lot; or one or more attached dwelling units on a common lot and sharing common facilities with a nonresidential use. Excluded from this definition are mobile home parks and residential quarters for resident manager, supervisor or caretaker, as defined in this section.

Evidentiary hearing. A hearing to gather competent, material, and substantial evidence to make findings for a quasi-judicial decision as required by this ordinance.

Extraterritorial jurisdiction. The area beyond the corporate limits within which the planning, zoning and building regulations of the city apply in accordance with state law. The area is delineated on the official zoning map for the city.

Family. An individual living alone, or two or more persons related by blood, adoption or marriage, or a group of not more than three unrelated persons living together as a single housekeeping unit in a shared dwelling unit. See also definition of room renting.

(1) For purposes of this definition the term “persons related by blood, adoption or marriage” shall constitute the following:

(a) Blood relations.

1. Parents (including grandparents);
2. Sons and daughters;
3. Siblings;
4. Uncles and aunts (including great uncles and aunts);
5. Nephews and nieces (children of a brother or sister); and
6. First cousins (children of brothers and/or sisters).

(b) Marriage relations.

1. Spouse;
2. Step relations (mother/father, son/daughter, brother/sister);
3. Half relations (brother/sister); and
4. In-laws (mother/father, son/daughter, brother/sister).

(c) Adoption.

1. As provided by law; and
2. Foster parent/child, custody consent order, or other legally recognized form of guardianship.

(2) Specifically, the individual or combination of persons listed herein may occupy a dwelling unit under this definition.

- (a) One individual living alone;
- (b) Up to three unrelated individuals;
- (c) Two or more individuals related by blood, adoption or marriage (i.e., family);
- (d) One family (subsection (c) above) and up to two unrelated individuals (i.e., room renting); or
- (e) One family (subsection (c) above) and up to two related individuals (i.e., room renting).

Family care home. An establishment defined under G.S. 160D-907 as amended, with support and supervisory personnel that provides room and board, personal care and rehabilitation services in a family environment for not more than six resident “persons with disabilities.” “Person with disabilities” means a person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbance and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined under G.S. 122-3(11)b. “Dangerous to others” means that within the relevant past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property: and that there is a reasonable probability that this conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Clear, cogent, and convincing evidence that an individual has committed a homicide in the relevant past is prima facie evidence of dangerousness to others.

(1) The following shall be considered a “person with disabilities” for the purpose of this definition:

- (a) An elderly and disabled person suffering from Alzheimer’s, senile dementia, organic brain syndrome;
- (b) A recovering alcoholic or drug addict who is not currently using an illegal controlled substance; and/or
- (c) A person with human immunodeficiency virus (HIV) and/or acquired immune deficiency syndrome (AIDS), who is in ambulatory condition.

(2) Professionals or paraprofessionals providing assistance to the occupants shall be allowed in addition to the maximum occupancy.

Farmers market. A structure or location wherein space is provided to multiple independent operators for the purpose of retail and/or wholesale trade of raw agricultural products; provided, however, the use shall not include the processing of any product or the sale of poultry, fish, shellfish, pork, beef or other wildlife or domesticated meat products.

Farming.

(1) Establishments (farms, ranches, dairies, nurseries, orchards, hatcheries and the like) primarily engaged in the production of crops, plants, vines or trees (excluding saw mills); and the keeping, grazing, or feeding of livestock for the sale of livestock or livestock products, for livestock increase, or for value increase. "Livestock" as used here includes cattle, sheep, goats, hogs and poultry. Also included are animal specialties such as horses, rabbits and fish in captivity. Agricultural production also includes establishments primarily engaged in the operation of sod farms, mushroom cellars, poultry hatcheries, and in the production of bulbs, flower seeds and vegetable seeds.

(2) A farm may consist of a single tract of land, or a number of separate tracts which may be held under different tenures. It may be operated by the operator alone or with the assistance of members of his or her household or hired employees, or it may be operated by a partnership, corporation, or other type of organization.

Fence. An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials, not to include any portion of a building, enclosing an area of ground to mark a boundary, control access, enclose, screen, or separate areas.

(Ord. No. 21-010, § 1, passed 2-15-2021)

Flood damage prevention ordinance. An ordinance adopted by the City of Greenville found in Title 9, Chapter 6 of the City Code regulating development within flood hazard areas as designated by the Federal Emergency Management Agency.

Fraternity or sorority house. A dwelling and associated grounds occupied by and maintained for college or university students who are affiliated with a social, honorary or professional organization recognized by a college or university or within which the functions of such an organization are conducted.

Game center. Any establishment that has more than five coin/token operated or other amusement devices or whose principal purpose is the operation of a "game center" regardless of the total number of amusement devices. For purposes of this definition, the term "amusement devices" shall include electronic games and similar machines, and any other game table or device. Bingo parlors shall be considered as "game centers" regardless of the number of participants. See also definition of billiard parlor; pool room.

Golf course; nine-hole regulation length. A golf course which contains a minimum of nine, but less than 18, United States Golf Association (USGA) and National Golf Foundation (NGF) regulation length golf holes. The "golf course" may contain optional accessory use facilities

including a member-guest only dining facility, snack bar, pro-shop, member-guest only social club, tennis courts, swimming facilities and/or other customarily associated golf course activity, which is open to members, guests and/or the general public. The “golf course” may be limited to member-guests only or may be open to the general public at the option of the golf course owner/management. A “nine-hole regulation length golf course” shall not contain an accessory public restaurant. For purposes of regulation under this chapter, an “executive length golf course” containing nine or more golf holes, shall be construed as a “golf course; nine-hole regulation length.” See also section 9-4-103(T).

Golf course; 18-hole regulation length. A golf course containing 18 or more United States Golf Association (USGA) and National Golf Foundation (NGF) regulation length golf holes, and optional accessory use facilities including a member-guest only dining facility and/or a public restaurant, snack bar, pro-shop, member-guest only social club, tennis courts, swimming facilities and/or other customarily associated golf course activity, which is open to members, guests and/or the general public. The “golf course” may be limited to member-guests only or may be open to the general public at the option of the golf course owner/management. For purposes of regulation under this chapter, an “executive length golf course,” containing 18 or more golf holes shall be construed as a “golf course; nine-hole regulation length.” See also section 9-4-103(T).

Group care facility. An establishment qualified for a license by the State of North Carolina for provision of resident services to more than six but not more than 25 residents who are physically disabled, mentally retarded, developmentally disabled, persons recuperating from alcohol or drug related problems, persons adjusting to society as an alternative to imprisonment and persons recuperating from mental or emotional illness. This definition shall not include mentally ill persons who are dangerous to others. “Dangerous to others” means that within the recent past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that his or her conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Professionals or paraprofessionals providing assistance to the occupants shall be allowed in addition to the maximum occupancy.

Guest house for a college or other institution of higher learning. A building and accessory structure(s) designed for residential occupancy and containing rooms, suites, separate or connecting units, where without compensation lodging is provided on a short-term basis to guests of the associated institution. For purposes of this definition, the words “short-term basis” shall include only daily or weekly periods. No persons shall utilize, consider or reference any room, suite or unit within any “guest house” as a secondary or primary place of residence. This definition shall not include hotel or motel and/or bed and breakfast inns.

Hazardous. Any use, product, operation, material, compound or reaction which by its known or reasonably expected nature creates excessive noise, odor, smoke, dust, danger of fire or explosion, emission of gas, particles, solids or other objectionable or toxic characteristics which may adversely impact the public’s health, safety and general welfare. Nonhazardous shall include those attributes which by their nature do not qualify under the above definition.

Hazardous material. Any substance listed as such in SARA Section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances) as amended. See also definition of toxic substance.

Height of structure. The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. For purposes of this definition the term “grade” shall be construed as the average street side ground elevation at the base of a structure. Any decorative roof structure or parapet wall extending above an exterior wall line shall be included in and count toward the calculation of allowable height. The average height of a pitch roof shall be the midpoint of a vertical line extending from the top of the exterior wall to the highest point of the finished roof surface.

Historic Preservation Commission terms and definitions. See Title 9, Chapter 7, Greenville City Code.

Home occupation. An activity conducted for financial gain as an accessory use to a detached single-family dwelling unit by a member of the family residing in the dwelling unit.

(1) “Home occupation” shall meet all of the following characteristics:

- (a) Shall only be permitted within detached single-family dwelling units;
- (b) Shall not be permitted within any accessory building;
- (c) Shall constitute an accessory use to the principal use;
- (d) Shall not occupy more than 20% of the mechanically conditioned enclosed floor space of the dwelling unit;
- (e) Shall not employ more than one person other than those persons legally residing within the principal use dwelling;
- (f) Shall not be visible from any public right-of-way or adjacent property line;
- (g) Shall not involve the on-site sales of products;
- (h) Shall not involve any outside storage of related materials, parts or supplies;
- (i) Shall have signage in accordance with Article N; and
- (j) Shall not create any hazard or nuisance to the occupants residing or working within the principal use dwelling or to area residents or properties.

(2) The following permitted limited in-home services and/or business activities shall not constitute a “home occupation” and shall be construed as an incidental accessory residential use within any dwelling, for purposes of regulation under this chapter, provided that: 1. not more than one person is engaged in the conduct of the listed activity; 2. the person that is engaged in the conduct of the activity shall be a permanent resident within the subject dwelling; 3. not more than two customer/clients shall be allowed on the premises at any one time; 4. no on-site signage shall be displayed in connection with the limited in-home service and/or business activity; and 5. the activity is compliant with characteristics (1)(b), (c), (d), (f), (g), (h), and (j) above:

(a) Music or dance instructor, provided all associated amplified and/or non-amplified sound is not plainly audible, within any adjacent area dwelling unit or beyond the adjacent property line;

(b) Educational tutoring;

(c) Accountant, tax and/or financial advisor, stockbroker;

(d) Attorney at law;

(e) Counseling, including psychologist, marriage and similar professional counselor;

(f) Doctor, physical therapist or other similar health care professional;

(g) Consultant, including public relations, advertising, computer science, engineering, architect and other similar professional consultant;

(h) Clothes alteration seamstress; excluding garment manufacturing, shoe repair and sales of clothing items;

(i) Catalogue ordering sales consultant business wherein retail products are ordered by the end customer from a catalogue and/or by reference to limited samples displayed at off-site locations remote to the business address;

(j) Artist, photographer/videographer, graphic designer, writer;

(k) Real estate broker/realtor;

(l) Real estate/personal property appraiser;

(m) General contractor, including building, painting, electrical, plumbing, mechanical, landscape, and cleaning/janitorial service, excluding any of the following activities on-site:

1. Physical display and/or storage of products and materials;

2. Manufacture or assembly;

3. Storage of construction or service delivery equipment including trucks, trailers, excavators, tractors, and mowers of a type and number uncommon to typical domestic residential use; provided, however, a personal transportation vehicle customarily associated with residential use shall be permitted.

(n) The incidental use of any dwelling by the occupant(s) for the purpose of receiving or transmitting messages or mail, record or bookkeeping, filing, address listing for applicable privilege license or tax identification and other similar activities, which do not involve the on-site sale, delivery, distribution, reception, storage or manufacture of goods, products or services.

Hookah Café. An establishment that, as a primary or accessory use, provides for the on-site consumption of shisha or similar flavored tobacco products.

Hotel, motel, bed and breakfast inn; extended stay lodging. A building or group of buildings containing guest rooms, suites, separate or connecting units where for compensation lodging is provided on an extended stay basis. For purposes of this definition, the words “extended stay

basis” shall include daily, weekly or monthly periods not to exceed 90 continuous days. See also definition of hotel, motel, bed and breakfast inn; limited stay lodging.

Hotel, motel, bed and breakfast inn; limited stay lodging. A building or group of buildings containing guest rooms, suites, separate or connecting units where for compensation lodging is provided on a limited stay basis. For purposes of this definition, the words “limited stay basis” shall include only daily or weekly periods not to exceed 30 continuous days. See also definition of hotel, motel, bed and breakfast inn; extended stay lodging.

Incidental assembly; accessory. The process of blending or assembling previously manufactured components or parts into finished products, for wholesale and/or retail trade from the point of assembly.

Internal service facility. Facilities incidental to the permitted nonresidential principal use(s), including cafeterias, snack bars and similar retail activities conducted solely for the convenience of employees, patients, patrons, or occasional visitors, provided that the facilities are housed within the principal or related buildings and provided that neither the facility itself nor any advertising display is visible beyond the premises.

Internet sweepstakes business. Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games, including but not limited to sweepstakes and video poker, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This use does not include any lottery approved by the State of North Carolina.

Junk yard. Use of land or buildings or other structures for indoor and outdoor storage, collection, demolition, dismantling, processing, abandonment, sale or resale of junk including scrap metal, rags, paper, other scrap materials, used lumber, used building materials, salvaged house wrecking, salvaged structural steel, salvaged materials, salvaged equipment, automobiles, and boats or other vehicles or machinery or parts thereof. This definition shall also include automobile graveyards.

Kennel. A use of land or buildings for the keeping of four or more dogs.

Landfill. A facility for the disposal of solid waste on land in a sanitary manner in accordance with G.S. Chapter 130A, Article 9, as amended. For the purpose of this chapter, this term does not include composting facilities.

Land development administrative manual. An administrative manual which specifies the procedures and application requirements necessary to ensure compliance with the minimum ordinance standards established by City Council for various land use and development activities. The Manual is incorporated herein by reference.

Land use intensity (LUI). See Article K.

Laundries; commercial. Establishments engaged in the dry cleaning or power machine washing of bed linens, table covers, hand towels, uniforms, diapers, furs or other personal use items on a contract or fee basis.

Laundries; industrial. Establishments engaged in the dry cleaning or power machine washing of rugs, mats, carpets, upholstery, drapery or other nonpersonal use items on a contract or fee basis.

Legislative decision. The adoption, amendment, or repeal of a regulation under this ordinance and others authorized by G.S. Chapter 160D.

Legislative hearing. A hearing to solicit public comment on a proposed legislative decision.

Lot. A parcel of land or a division or combination of a parcel or parcels of land either existing on the effective date of this chapter as provided by section 9-4-15 or as created by and in accordance with applicable subdivision regulations of the appropriate authority.

Lot coverage. The ground area of a lot which is encompassed by the exterior foundation limits, including any supports, of a building or other covered or enclosed structure. Parking areas, drives, exterior storage areas, stormwater detention structures and the like shall not be included under this definition.

Lot depth. The horizontal distance between front and rear lot lines.

Lot, corner. A lot which has frontage on at least two intersecting streets, provided that the interior angle of the intersection is less than 135 degrees.

Lot, double frontage. A lot which fronts on two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

Lot, frontage. The distance between side lot lines measured along the street right-of-way or easement.

Lot line. A line that marks the boundary of a lot.

Lot line, front. The common boundary line between a street right-of-way or easement line and the lot line.

Lot width. The distance between side lot lines measured along the minimum public or private street setback line unless otherwise provided.

Lot of record. A lot which is a part of a subdivision or plat which has been recorded in the office of the Register of Deeds of Pitt County, or a lot described by metes and bounds, the description of which has been recorded in the office of the Register of Deeds in accordance with the subdivision regulations in effect at the time of recordation.

Live performance theater. A facility for holding live performances, motion pictures, plays, and live music through the sale of tickets and allows banquets as an accessory use. Such use is limited in its location, size and operation in accordance with the provisions of section 9-4-86(RR). (See also section 9-4-86).

Manual of Standard Designs and Details. The Manual of Standard Designs and Details is a supplement to the subdivision regulations. Such supplement contains engineering designs and details relative to plat layout; storm drainage design; sedimentation control; basins; pipes and manholes; ending walls and retaining walls; street standards; pavement design; ground cover; driveways; parking; stormwater detention and other uniform design standards.

Manual for the Design and Construction of Water and Waste Water System Extensions for Greenville Utilities Commission. The Manual for the Design and Construction of Water and Waste Water System Extensions for Greenville Utilities Commission is a supplement to the subdivision regulations. This supplement contains design considerations, submittal requirements, material specifications and project guidelines for water and sanitary sewer system extensions.

Manufactured building. A structure consisting of one or more transportable sections built and labeled within a manufacturing plant facility in accordance with the appropriate state or federal construction code which governs the structure's intended usage when erected on a building site.

Manufacturing. Establishments engaged in the mechanical or chemical transformation of materials or substances into new products. These establishments are usually described as plants, factories, or mills and characteristically use power driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered manufacturing if the new product is neither a structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastics, resins or liquors.

(1) The materials processed by manufacturing establishments include products of agriculture, forestry, fishing, mining and quarrying as well as products of other manufacturing establishments. The new product of a manufacturing establishment may be "finished" in the sense that it is ready for utilization or consumption, or it may be "semifinished" to become a raw material for an establishment engaged in further "manufacturing."

(2) The materials used by manufacturing establishments may be purchased directly from producers, obtained through customary trade channels, or secured without recourse to the market by transferring the product from one establishment to another which is under the same ownership. "Manufacturing" production is usually carried on for the wholesale market, for interplant transfer or to order for industrial users, rather than for direct sale to the domestic consumer.

Massage parlors. An establishment wherein the manipulation of body muscle or tissue is performed by rubbing, stroking, kneading or tapping by hand or mechanical device and as further defined and regulated pursuant to Title 11, Chapter 10, Article B of the City Code.

Master Planned Community (MPC). See Article J.

Mental health, emotional or physical rehabilitation center.

(1) An establishment qualified for a license by the State of North Carolina which provides resident services to more than 25 persons who reside at the establishment and who are physically disabled, mentally retarded, developmentally disabled, persons recuperating from alcohol or drug related problems and persons recuperating from mental or emotional illness, but not including mentally ill persons who are dangerous to others. State licensed family care homes and group care facilities are not included under this definition.

(2) "Dangerous to others" means that within the recent past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that his conduct will be

repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Professionals or paraprofessionals providing assistance to the occupants shall be allowed in addition to the maximum occupancy.

(Ord. No. 09-75, § 1, passed 9-10-2009)

Mental health, emotional or physical rehabilitation day program facility.

(1) An establishment qualified for a license by the State of North Carolina which provides a day treatment, day activity or other extended counseling service to persons who do not reside at the establishment and who are physically disabled, mentally retarded, developmentally disabled, persons recuperating from alcohol or drug related problems, persons adjusting to society as an alternative to imprisonment, children or adolescents who are emotionally disturbed and need special educational services, and persons recuperating from mental or emotional illness, but not including mentally ill persons who are dangerous to others. Persons receiving service at the establishment may be at the facility for no longer than 18 hours within any 24-hour period.

(2) “Dangerous to others” means that within the recent past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that his conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Professionals or paraprofessionals providing assistance to the occupants shall be allowed in addition to the maximum occupancy.

(Ord. No. 09-75, § 1, passed 9-10-2009)

Microblading. A personal service in which one or more licensed provider(s) places pigment into the skin by the aid of needles or any other instrument used to puncture the skin, for cosmetic enhancement or cosmetic restoration. Permanent makeup, microstroking, and micropigmentation are terms sometimes used to describe microblading.

Microbrewery. A facility for the brewing of malt beverages that is limited in its location, size and operation in accordance with the provisions of section 9-4-86.QQ. (See also section 9-4-86.QQ).

Microdistillery. A facility for the distillation of spirituous liquors that is limited in its location, size and operation in accordance with the provisions of section 9-4-86(UU) (See also section 9-4-86(UU)).

(Ord. No. 20-064, § 1, passed 11-16-2020)

Mining. The extraction of minerals occurring naturally: solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gas. The term “mining” is also used in the broad sense to include quarrying, well operation, milling (crushing, screening, washing, flotation and the like), and other preparation customarily done at the mine site or as a part of mining activity.

Mobile home. A manufactured building designed to be used as a single-family dwelling unit which has been constructed and labeled indicating compliance with the HUD-administered National Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile home park; conforming. See Article H.

Mobile home park; nonconforming. A parcel of land containing two or more mobile home dwelling units where the placement or improvements do not conform to the minimum requirements of this chapter.

Mobile home site or lot. A parcel of land in a mobile home park designed to accommodate one mobile home and its accessory building or uses for the exclusive use of the occupants.

Mobile home stand. That area of a mobile home site or lot which has been reserved for the placement of a mobile home.

Modular building. A manufactured building constructed in accordance with the North Carolina State Building Code.

Modular building (nonresidential and multi-family). A manufactured building designed to be used as a multi-family dwelling (three or more units) or as a nonresidential structure which has been constructed and labeled indicating compliance with the North Carolina State Building Code.

Modular component. Any sub-system, sub-assembly, or other system designed for use in or as part of a structure, which may include structural, electrical, mechanical, plumbing and fire protection systems and other systems affecting health and safety and is usually of closed construction.

Modular data processing facility. A building, dedicated space within a building, or group of modular structures used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations. This definition shall not apply to data processing centers or where such facilities are accessory or incidental to another primary use.

Modular home. A manufactured building designed to be used as a detached single-family dwelling or two-family attached dwelling (duplex) which has been constructed and labeled indicating compliance with the North Carolina State Building Code, as amended.

Multi-purpose center. A facility owned and operated, by a governmental unit and/or private association holding a certificate of nonprofit organization from the Secretary of State, for the purpose of providing community support activities including health screening (excluding treatment), library and museum extensions, adult education, child and adult day care, cooking and dining facilities, recreation and crafts, social and civic meeting rooms, and other closely related community support activities which are found to be compatible with surrounding and area properties.

(1) Due to the general/multiple use nature of the facility each and every activity, including the method and extent of operation, proposed for inclusion at each separate location shall be specifically considered by the Board of Adjustment. Activities not specifically approved by the Board of Adjustment shall be prohibited.

(2) Specifically prohibited under this definition are: Shelters for homeless or abused, family care facilities, group care facilities, college and other institutions of higher learning, business or trade schools, vocational rehabilitation center, auditorium, theater, and commercial activities including but not limited to retail sales.

Municipal government building or use. Any building, structure or use of the City of Greenville or its various subparts. This term shall include fire stations, police stations, municipal offices, libraries, recreation facilities and parks, civic centers or auditoriums. Uses not listed above shall only be allowed in accordance with the table of permitted and special uses for the particular district. Where municipally operated facilities to be used for athletic events and/or night programs are to be located in residential areas, a legislative hearing shall be properly advertised and conducted before City Council for the purpose of hearing and considering any comments by the public as to the location under consideration.

Noncommercial park or recreational facility. An accessory use recreation area and related improvements commonly associated with a residential subdivision or development which has been reserved for the private use of members of a common property owners and/or tenants association and their guests. Such use may include clubhouse facilities, swimming pools, ball courts and/or fields, play lots and equipment, walking or fitness trails, picnic shelters and/or tables and the like. All such facilities shall be owned and operated by the aforesaid association on a not-for-profit basis, provided however, dues or other fees may be collected for maintenance and related expenses from the membership and/or their guests.

Nonconformity. Any dimensional, area, use or other situation, which does not comply with the requirements, standards or conditions set forth by the Zoning Ordinance, whether existing on the effective date of this chapter or following any amendment thereto.

Nonprofit; use. Any use holding a certificate of nonprofit organization from the Secretary of State for social, literary, political, civic, religious, fraternal, recreational or charitable purposes, which is not operated for profit or to render a service which is customarily conducted as a business.

Nursing, convalescent or maternity home; major care facility. A health care establishment licensed by the state for care, supervision and provision of resident services to seven or more individuals on a temporary or permanent basis. The establishment may contain the following onsite activities and/or facilities for the exclusive use of resident occupants: health care; food preparation and eating; recreation and exercise; counseling, social work and education; and living quarters for resident manager(s). Maximum occupancy shall be regulated by the North Carolina State Building Code and/or applicable license. The following uses shall not be considered under this definition: family care home; group care facility; retirement center; and shelter for homeless or abused.

Nursing, convalescent or maternity home; minor care facility. A health care establishment licensed by the state for care, supervision and provision of resident services to six or fewer

individuals on a temporary or permanent basis. The establishment may contain the following on-site activities and/or facilities for the exclusive use of resident occupants: health care; food preparation and eating; recreation and exercise; counseling, social work and education; and living quarters for resident manager(s). Maximum occupancy shall be regulated by the North Carolina State Building Code and/or applicable license; provided, however, not more than eight persons, including both resident individuals receiving care and any resident manager(s), shall occupy any “minor care facility.” The following uses shall not be considered under this definition: family care home; group care facility; retirement center; and shelter for homeless or abused.

On-site manager. A person principally in charge of a Bar 2022 when the permit holder of the establishment is not on-site and who is listed with and approved by the City as an on-site manager.

Open space. The natural, vegetated or landscaped portions of a lot. Open drainage ditches, ponds and the like may count toward any “open space” requirement. Except as specifically provided, portions of a lot covered by buildings, structures, parking areas, drives, exterior storage areas, swimming pools, ball courts, decks, patios, porches and the like shall not be construed as “open space.”

Operation/processing center. An office facility engaged in providing operation and data processing services to other remote office, commercial or industrial uses including parent, subsidiary or independent operations. Activities may consist of providing specialized services such as bank transaction and coupon processing or making data processing equipment available to others. All other principal and/or accessory use activities, including but not limited to professional/business/ medical offices, retail/wholesale sales, manufacturing, storage, warehousing and the like, conducted in conjunction with any “operation/processing center” shall be subject to independent approval in accordance with district regulations.

Pawnbroker. Any person who loans money on the security of personal property pledged in his or her keeping.

Pet grooming facility. Any premises containing four or more domesticated animals, which are five months or older, where these domestic animals are dropped off and picked up for temporary care on site related to grooming. Grooming activities include both the hygienic care and cleaning of a dog, as well as a process by which a dog's physical appearance is enhanced for showing or other types of competition.

Pet shop. An establishment which sells domesticated animals to be kept for pleasure rather than for utility. “Pet shops” are completely enclosed operations which utilize outside storage of animals only pursuant to further approval under the animal boarding; outside facility definition contained herein.

Planned center. A development which meets any of the following conditions:

- (1) A lot of record held in singular or joint ownership which contains two or more principal uses;
- (2) Any two or more units held pursuant to the North Carolina Condominium Act;

(3) Any two or more lots which have been platted pursuant to the subdivision regulations as a townhouse division. For purposes of this section, the term “townhouse division” shall constitute the division of land containing attached units within one or several structures and may include the reservation of common area and which are restricted to internal access through the original lot, common area(s) or easements; or

(4) A development platted pursuant to the subdivision regulations involving any outparcel which is dependent on the original development tract or other outparcel for compliance under Article G and/or Article P contained herein. Mutually dependent lots or outparcels shall be construed as a “planned center.”

Planned unit development (PUD). See Article J.

Planning and Zoning Commission. The body created by City Council in section 9-2-1 of the City Code, pursuant to G.S. 160D-301 and 160D-604, to act as a planning agency for the City Council on planning and zoning matters within the city’s planning and zoning jurisdiction.

Portable temporary storage unit. Any temporary and portable accessory use container, trailer, cart, sled or other portable structure that exceeds ten square feet in floor surface storage area, that is owned, leased or rented for the purpose of temporary storage and/or transport of personal property, items and materials and which is located on any lot, other than the unit owner’s commercial storage lot or facility, for more than 336 continuous hours. This definition shall include motorized and nonmotorized units, enclosed and unenclosed units, and wheeled and non-wheeled units. Exempt from this definition are licensed motor vehicles and trailers customarily associated with the on-site principal use and approved garbage and waste containers located on nonresidential or multi-family sites.

Porch. An attached, open, unenclosed (including screening and the like) roofed entrance to a building, including necessary supports.

Premises. A fixed permanent establishment, including all areas inside or outside extensions, including but not limited to decks, porches, patios, the establishment, where the permit holder has control through a lease, deed, or other legal process, including areas related to the fixed permanent establishment that are in close proximity. Premises larger than the allowable square footage under Bar 2022 must be appropriately separated to meet the allowable square footage and meet all applicable building code requirements, including future amendments, and independent of other available space within the same premises that exceeds the 3,500 square feet requirement.

Principal use. The primary purpose for which a building structure or lot is designed, arranged or intended and for which it is or may be used under these regulations.

Public nuisance violation. Violations that do not present an immediate or imminent danger to the general public but relate to quality of life issues. Public Nuisance violations can cause a hearing for a modification or revocation to be requested by PDS if at least 4 violations resulting in the issuance of a violation occur within a 6-month period.”

Public safety violation. Violations that are related to the sole or principal purpose to protect the health, safety and welfare of patrons or employees of an establishment and the general public. These violations are split into two classes: major and/or minor.

a. Major violations are of such an egregious nature that it warrants immediate action. Major violations can cause a hearing for modification or revocation of a special use permit to be requested by PDS if at least 2 violations resulting in the issuance of a violation occur within a 6-month period. This shall not limit the ability of PDS to request a hearing for a modification or revocation for a single egregious violation.

b. Minor violations do not warrant immediate action. Minor violations can cause a hearing for modification or revocation of a special use permit to be requested by PDS if at least 4 violations resulting in the issuance of a violation occur within a 6-month period.

Public utility building or use. Any above-ground building or use necessary for the delivery of electric, water, sanitary sewer, storm drainage, gas, telephone, cable TV or other utility service system which meets any one of the following conditions. Distributed Antenna Systems (DAS) and supporting DAS equipment are not considered a public utility or use.

- (1) Utilizes structures in excess of 100 total square feet;
- (2) Utilizes any structure in excess of 15 feet in height;
- (3) Requires any on-site permanent maintenance or service attendant;
- (4) Requires or utilizes three or more parking spaces; and

(5) Creates noise, smoke, dust, odor, glare or any other condition which may have an adverse impact on area properties or uses.

Quasi-judicial decision. A decision involving the findings of fact regarding a specific application of this ordinance and requiring the exercise of discretion when applying the standards of this ordinance. Quasi-judicial decisions include, but are not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative decisions.

Recreational vehicle or travel trailer (camper). Any vehicle equipped with some or all facilities normally found in a dwelling unit and designed to serve temporarily as a substitute dwelling for short periods of time.

Repair; major. The following activities shall be considered “major repair:”

- (1) Engine overhaul or dismantling of subparts;
- (2) Body or frame repair;
- (3) Windshield or glass replacement;
- (4) Transmission, starter, alternator or other subpart rework service;
- (5) Welding or metal cutting; and
- (6) Any other repair other than minor repair.

Repair; minor. The following activities shall be considered “minor repair:”

- (1) Engine tune-up; changing of plugs, filters, oil, lubricants, belts, adjustments;

- (2) Change and rotate tires;
- (3) Brake services;
- (4) Electrical system services;
- (5) Radiator services;
- (6) Muffler services; and
- (7) Battery service.

Research and development facility. An establishment which conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing. This term includes but is not limited to a biotechnology firm or a manufacturer of nontoxic computer components.

(Ord. 20-020, § 1, passed 5-18-2020)

Residential cluster development (RCD). See Article M.

Residential use. The use of land and buildings for domestic occupancy within dwelling units, including single-family, two-family attached, multi-family, boarding house, rooming house, family care home and land use intensity (rating 50) development, by the persons authorized to occupy the units. Uses not listed above shall be considered as nonresidential uses for purposes of Article D, Part 3.

Restaurant, conventional. An eating establishment open to the general public of which the principal use is food services, including food ordering, food preparation and on-premises food consumption, and which meets all of the following:

(1) Has sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of 30% of the total gross receipts for the establishment during any month.

(a) In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state, the following sales shall be included: food prepared in the establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order; packaged food sold to accompany the meal; and non-alcoholic beverages sold to accompany the meal.

(b) The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state: mixed alcoholic beverages, including the mixer; any other alcoholic beverage; grocery items not ordered and purchased with meals; and any other product, item, entertainment, service or gratuity which is not specified in this subsection (1) as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state.

(c) For purposes of determining compliance under this subsection (1), the Zoning Enforcement Officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.

- (2) May offer food in disposable containers;
- (3) Does provide sit down dining area(s);
- (4) Does provide table cleaning and clearing (busboy) services;
- (5) Does provide attendant (waiter/waitress) food delivery services, unless over the counter service is provided in accordance with subsection (9) below;
- (6) May offer carry-out and/or off-site delivery services, provided the food service is an accessory activity;
- (7) Does not offer drive-in attendant services;
- (8) May exhibit one but not both of the following operational functions or characteristics:
 - (a) Drive-through service; or
 - (b) Over the counter service. For purposes of this section, the term “over the counter service” shall include both customer ordering and the receipt of food, excepting beverages, condiments, utensils and the like, from an order/delivery station or counter remote to the on-site place of consumption.
- (9) May have a full service bar, live or recorded amplified music, floor show and dancing area which is open to the restaurant patrons and general public and is limited to the hours of operation of the principal use restaurant.

Restaurant and/or dining and entertainment establishment; outdoor activities.

(1) A principal and/or accessory use associated with or utilized in conjunction with a conventional or fast food restaurant or a dining and entertainment establishment which is intended for the temporary or permanent conduct of activities relative to the sale, transfer or enjoyment of products and/or services to persons located on the business premises and which is open and unenclosed on one or more sides or which is without a complete roof structure. For purposes of this section, all areas not constituting “mechanically conditioned area” as determined by the Building Inspector shall be considered open and unenclosed. Additionally, fences and/or wire or plastic mesh screens shall be considered open and unenclosed for purposes of this section.

(2) Use of any amplified outdoor audio sound system including loud speakers, audio speakers or other electronic or mechanical sound transmission devices shall be considered as an “outdoor activity” for purposes of this definition.

(Ord. No. 09-27, § 5, passed 4-9-2009)

Restaurant and/or dining and entertainment establishment; regulated outdoor activities. Any restaurant and/or dining and entertainment establishment; outdoor activity, as defined herein, which is located within 300 feet, as measured to the closest point, of any residential district, excepting CDF, which allows single-family dwellings as a permitted use.

(Ord. No. 09-27, § 6, passed 4-9-2009)

Retail sales. Establishments engaged in selling merchandise for personal or household consumption, and rendering services incidental to the sale of goods. Establishments are classified by kind of business according to the principal lines of commodities sold (apparel), or the usual trade designation (shoe store). Characteristics of retail trade establishment are: the establishment is usually a place of business and is engaged in activities to attract the general public to buy; the establishment buys or receives merchandise as well as sells; the establishment may process its products, but the processing is incidental or subordinate to selling; the establishment is considered as retail in the trade; and the establishment sells to customers for personal or household use.

Retail sales; incidental. Retail sales accessory and incidental to the permitted nonresidential principal use including sales of: manufactured products; goods distributed at wholesale; repair and/or replacement parts; products and/or goods resulting from, utilized in and related to commercial, medical, professional or personal services and recreational activities. Such “incidental retail sales” shall meet all of the following requirements:

- (1) Shall be an accessory use to the principal use;
- (2) Shall be housed completely within the principal or related accessory structure;
- (3) Shall not occupy more than 10% of the floor area of the principal or related accessory structure;
- (4) Shall not constitute more than 20% of the gross income produced by the associated principal use during any month; and
- (5) Neither the activity itself nor any advertising display shall be visible beyond the premises.

Retirement center. A facility which provides housing, meals, recreational and educational activities, and medical care for retired people. This term shall include the following uses within a retirement facility: dwelling units in accordance with district standards, nursing facilities or infirmaries, food preparation and services for the occupants, administrative offices, recreational facilities, and assembly halls.

Room renting. Accessory residential occupancy within an owner-occupied dwelling unit wherein space is let, by the resident owner, to persons who are not related to the resident family by blood, adoption or marriage; provided that the total dwelling unit occupancy shall be limited to not more than two persons in addition to the resident owner and persons related to the resident owner by blood, adoption or marriage who constitute a family. For purposes of this definition, the term “family” and the term “persons related by blood, adoption, or marriage” shall be as defined in the definition of family contained in this section.

Satellite dish antennae. A structure capable of receiving communications from a transmitter relay located in planetary orbit.

School. A use of land or buildings for academic instruction authorized and administered by the Pitt County School System or other comparable private schools.

School; small, private. A private educational institution providing full time instruction and including accessory facilities traditionally associated with a program of study, which meets the requirements of the laws of the state, that has no more than 500 students.

(Ord. No. 20-052, § 1, passed 9-14-2020)

Section. Those sections found within this chapter, Title 9, Chapter 4 , Zoning Ordinance, for Greenville, North Carolina unless otherwise referenced.

Service; general. A useful labor that does not produce a commodity.

Service; personal. Labor of a physical, communicative, individualized or domestic nature that directly benefits an individual.

Service; professional. Labor of a technical, clerical, administrative or artistic nature that directly benefits an individual or a commercial, institutional or industrial operation.

Setback lines. The lines which parallel any public street right-of-way, private street easement, side and rear property line or peripheral boundary line which delineates the area of a lot upon which a building may be constructed or expanded.

Shelter, fallout. An accessory structure or portion of a structure that provides protection to human life during periods of danger, including nuclear fallout, air raids, storms or other emergencies.

Shelter for homeless or abused. An establishment operated by a governmental or nonprofit organization intended to be used solely for temporary occupancy by homeless or abused persons.

Signs. See Article N of this chapter.

Soil erosion and sedimentation control ordinance terms and definitions. See Title 9, Chapter 8 of the City Code.

Solar collector, accessory. A device or structure for which the primary purpose is to convert solar radiant energy into another source for direct power consumption and interconnection with the power grid to offset energy consumption of a principal use. The device may be roof-mounted or ground-mounted as an accessory use.

Solar energy facility. A solar collection system that generates electricity from sunlight to a wholesale electricity market through a regional transmission organization and an inter-connection with the local utility power grid and/or for direct distribution to more than one property or consumer as a commercial venture located on a parcel containing a minimum of 30 acres. Solar energy facilities shall consist of a minimum of three individual photovoltaic modules (solar panels), which are an assembly of solar cells to generate electricity. Solar facilities constructed only for the production of electricity dedicated to another facility co-located the same site, or a solar facility which is clearly a subordinate accessory land use, shall not be subject to the special use permit requirements.

Special use. A use of land, buildings or structures that requires special and individual control over number, area, location, design, methods of operation, and relationship to surrounding uses in order to promote the public health, safety and general welfare.

Special use permit. A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards, (see G.S.160D-102).

Sports ramp. Any elevated outdoor use, facility or structure which is designed and/or utilized for principal or accessory recreational purposes or activities, including bike ramps, skateboard ramps or any other ramp, tract or slide designed for use by fixed or free-motion vehicle(s), device(s) or apparatus. For the purpose of this definition the terms “vehicle(s), device(s) or apparatus” shall include all motorized, self-propelled, manual or gravity-assisted conveyances. For the purpose of this definition the term “sports ramp” shall include facilities or structures constructed from building materials, pre-fabricated or specialized kits or compacted earth mounds.

Stable. A building or structure designed or used for maintaining livestock or horses or for the storage of manure or soil fertilizer.

Stockyard or livestock sales pavilion. A place, establishment or facility consisting of pens or other enclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, goats or fowl are received, held or kept for sale or shipment in commerce. The terms “stockyard” and “livestock sales pavilion” as used in this article shall not be interpreted to mean a place, establishment, facility or farm where livestock is reared by an individual producer such as a farmer, dairy farmer or livestock breeder for agricultural purposes.

Storm drainage ordinance terms and definitions. See Title 9, Chapter 9 of the City Code.

Story. That portion of a building between the upper surface of a floor and upper surface of the floor or roof next above. Attic space which is arranged, built, finished or intended for business occupancy or habitation shall be considered as a floor for purposes of this definition. Where no floors exist (e.g., water towers, observation towers, grandstands, stadiums, belfries), each 12 feet of height shall constitute one story.

Streets. Those areas delineated by dedicated rights-of-way or common property easements upon which improvements have been made for use by and open to the public.

Streets; public. Streets that have been accepted for permanent maintenance by either the State of North Carolina or the City of Greenville.

Streets; private. Streets that have been designated by easement and as such constitute public vehicular areas as provided and regulated by **applicable** law. **Such streets shall be constructed in accordance with the standards specified in the Manual of Standard Designs and Details and ~~The streets~~** shall be maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed **for single-family and two-family attached dwellings located on individual lots or on a common lot** after August 14, 2014.

Subdivision. The division of a parcel or tract of land in accordance with the subdivision regulations, and as prescribed under G.S.160D-802.

Subdivision regulations. See Title 9, Chapter 5, Subdivisions of the City Code.

Tattooing. A personal service in which one or more licensed provider(s) places pigment into the skin by the aid of needles or any other instrument used to puncture the skin, for decorative adornment or artistic purposes.

Temporary use. Any use intended for temporary and limited duration, operated as an accessory or principal use. Except as further provided under Article F, section 9-4-103, the maximum frequency of the temporary use shall not exceed five separate occurrences within any 12-month period and the maximum duration of the temporary use shall not exceed 60 days within any 12-month period. For purposes of this definition the duration of each separate occurrence shall be measured in continuous days. The use shall be subject to applicable location, setback, parking, land use and other standards for the district. Included in this definition are transient merchants, itinerant merchants and vendors, farm produce sales, Christmas tree sales, seafood sales, auto sales, furniture sales and the like, as well as social, religious, political or similar participatory activities. Temporary uses shall be exempt from the vegetation and parking lot surface improvement standards; provided, however, where the Director of Planning and Development Services due to extended duration or frequency of operation finds that the use or reuse no longer qualifies under this definition, all applicable standards and requirements shall apply. No permanent building shall be located on any lot for the exclusive purpose of operating any temporary use.

Temporary sand mining. The extraction by excavation of naturally occurring materials, such as sands and dirt ("borrow materials"), from a specifically designated and limited geographical area (which shall be identified by one or more specifically delineated property parcels) ("borrow site"), to be used in conjunction with a specifically designated government highway construction project, and which shall be for a specifically designated and limited duration in time that coincides with the completion of the government project. (See also section 9-4-86).

Tobacco Shop (Class 1). An establishment that, as a substantial portion of the use, entails the retail sales of tobacco products including, but not limited to, cigarettes, cigars, chewing tobacco, shisha, unformed or loose tobacco, and/or similar products. For the purpose of this definition, a substantial portion of the use is established if:

(1) At least 20% of the establishment's floor area open and accessible to customers is used for the display and/or stocking of tobacco products as provided herein; or

(2) At least 40% of the sign area of the establishment's on-site signage that is visible from public rights-of-way advertises tobacco products as provided herein.

Tobacco Shop (Class 2). An establishment that entails the retail sales of any of the following tobacco smoking apparatus: water pipes; hookah pipes; bowls; water bongs; or similar products.

Townhouse type development. The division of land containing attached units within one or several structures and may include the reservation of common area and which may be restricted to internal access through the original lot, common area(s) or shared easements.

Toxic substance. Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations,

physiological malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their offspring or other adverse health effects. See also definition of hazardous material.

Trade or business organization. A noncommercial association of employees, owners, participants and/or representatives of a common commercial or industrial interest which provides occupational support services to the various membership. Activities of the use shall not produce a commodity or provide any service to interests outside the organization.

Use. Any purpose for which land, buildings or structures are designed, arranged, intended, occupied or maintained; or any activity, conducted or intended to be conducted, in a building, structure or on a tract of land.

Variance. A relaxation of a specific provision of these regulations granted by the Board of Adjustment.

Vested right. A right to undertake and complete the development and use of property under the terms and conditions of an approval secured as specified in G.S. 160D-108 or under common law.

Vesting plan, site specific. A plan that has been submitted to the city in which the applicant requests vesting pursuant to G.S. 160D-108.1 which plan describes with reasonable certainty the type and intensity of use for a specific parcel or parcels of property, and which establishes vested rights for a specific period of time, in accordance with applicable North Carolina General Statutes. Such plan may be in the form of, but not limited to, any of the following plans or approvals: a subdivision plat a preliminary or general development plan, a special use permit, or any other land-use approval designation as may be utilized by the city.

Violation. An occurrence on the premises for which a special use permit is held that leads to the issuance including but not limited to any of the following: notice of violation, citation, arrest, other complaint and order or legal process.

Water dependent structure. Any structure for which the use requires access to or proximity to or siting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not “water dependent structures.”

Watershed. The entire land area contributing surface drainage to a specific point (e.g., the water supply intake).

Water supply watershed; critical and protected areas. See Article L.

Wayside market. A temporary shelter, stand or location maintained and operated for the purpose of point of production retail sales of raw vegetables. Vegetables produced at a remote location shall not be offered for sale at any wayside market. The use may be operated on a continuous or intermittent basis during the growing and harvest season of the vegetables being offered for sale.

Wellness center. A facility designed to promote health awareness and maintenance through a variety of programs and services tailored to a range of individual needs, including but not limited

to physical fitness and nutrition education. The programs shall be coordinated by a physician consultant, who shall oversee the content and conduct of each program.

Wholesale trade. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to the persons or companies. In addition to selling, wholesale establishments may maintain inventories of goods (warehouse), physically assemble, sort and grade goods, deliver goods and refrigerate goods.

Wine and craft beer shop. An establishment conducted pursuant to G.S. 18B-1001 as amended, and operated as a principal or accessory use, which is authorized to sell wine and/or craft beer in the manufacturer's original container for consumption off the premises, provided however, the permittee shall be authorized to conduct accessory and incidental wine and/or craft beer tasting on the premises and is further authorized to sell wine and/or craft beer for on-premises consumption, as an accessory and incidental use to the "wine and craft beer shop", provided the establishment and operation is compliant with section 9-4-103(S). Among the two limited types of alcoholic beverages that may be sold, a "wine and craft beer shop" may sell wine exclusively, craft beer exclusively, or both wine and craft beer provided that the "wine and craft beer shop" has the requisite state permit(s) that allows retail sales of wine and/or malt beverages for consumption on the premises. A "wine and craft beer shop" that does not meet the requirements of section 9-4-103(S) shall be deemed a bar for the purpose of zoning and land use classification. For purposes of the wine and craft beer shop use, “

Wireless telecommunications facilities. See G.S. 160D-931.

Yard. A required open space unoccupied and unobstructed by any structure or portion of a structure, from ground to sky, except as may be specifically provided in these regulations.

Yard, front. A yard extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line.

Yard, rear. A yard extending across the full length of a lot from side lot line to side lot line and lying between the rear property line and the building line.

Yard sale. A one- or two-day activity occurring at a residential dwelling no more than two times in any given 12-month period where items which the residents have no further use for are being resold to the general public. “Yard sales” do not include items which were originally obtained to be resold to the general public. “Yard sales” shall be considered an accessory use.

Yard, side. A yard extending from the side of a structure to the side lot line and lying between the front corner and the rear corner of the structure.

Zoning enforcement officer. The person, officer or official or his or her authorized representative, whom the City Council has designated as its agent for the enforcement of the regulations contained within Title 9, Chapter 4 , Zoning, of the Greenville City Code.

Zoning map; official. The official zoning map for the City of Greenville, North Carolina.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 2355, § 1, passed 8-9-1991; Ord. No. 2357, § 1, passed 8-8-1991; Ord. No. 2368, § 1, passed 9-12-1991; Ord. No. 2383, § 1, passed 11-7-1991; Ord. No. 2384, § 1, passed 11-7-1991; Ord. No. 2389, § 1, passed 12-12-1991; Ord. No. 2390, § 1, passed 12-12-1991; Ord. No. 2434, § 1, passed 3-12-1992; Ord. No. 2435, § 1, passed 3-12-1992; Ord. No. 2436, § 1, passed 3-12-1992; Ord. No. 2451, § 1, passed 4-9-1992; Ord. No. 2468, § 1, passed 6-8-1992; Ord. No. 2488, § 1, passed 7-9-1992; Ord. No. 2489, § 1, passed 7-9-1992; Ord. No. 2544, § 1, passed 11-12-1992; Ord. No. 2640, § 3, passed 6-10-1993; Ord. No. 2725, § 4, passed 10-14-1993; Ord. No. 94-41, § 4, passed 3-10-1994; Ord. No. 94-133, § 1, passed 10-13-1994; Ord. No. 94-135, § 1, passed 10-13-1994; Ord. No. 95-51, § 1, passed 5-11-1995; Ord. No. 95-79, §§ 1–3, passed 8-10-1995; Ord. No. 95-118, § 1, passed 11-9-1995; Ord. No. 96-45, § 1, passed 6-13-1996; Ord. No. 96-80, § 3, passed 8-8-1996; Ord. No. 97-37, §§ 1–3, passed 4-10-1997; Ord. No. 97-38, § 1, passed 4-10-1997; Ord. No. 97-81, § 1, passed 8-14-1997; Ord. No. 97-86, §§ 1, 2, passed 8-14-1997; Ord. No. 97-93, §§ 1, 2, passed 9-11-1997; Ord. No. 98-143, § 1, passed 11-12-1998; Ord. No. 99-75, § 1, passed 6-10-1999; Ord. No. 04-95, § 1, passed 8-12-2004; Ord. No. 04-96, § 1, passed 8-12-2004; Ord. No. 04-122, § 1, passed 10-14-04; Ord. No. 05-65, §§ 1–2, passed 6-9-2005; Ord. No. 05-88, §§ 1–2, passed 8-11-2005; Ord. No. 05-89, § 1, passed 8-11-2005; Ord. No. 06-25, § 1, passed 3-9-2006; Ord. No. 06-75, § 1, passed 8-10-2006; Ord. No. 06-113, § 3, passed 11-9-2006; Ord. No. 07-11, § 1, passed 1-11-2007; Ord. No. 08-04, § 3, passed 1-10-2008; Ord. No. 09-27, §§ 1, 2, 3, 4, 5, 6, passed 4-9-2009; Ord. No. 09-75, § 1, passed 9-10-2009; Ord. No. 09-99, § 6, passed 3-4-2010; Ord. No. 10-106, § 1, passed 12-9-2010; Ord. No. 11-055, § 2, passed 9-8-2011; Ord. No. 12-040, § 1, passed 9-13-2012; Ord. No. 12-069, § 1, passed 12-13-2012; Ord. No. 13-007, § 1, passed 2-14-2013; Ord. No. 13-014, § 1, passed 4-11-2013; Ord. No. 14-048, 1, passed 8-14-2014; Ord. No. 14-049, § 3, passed 8-14-2014; Ord. No. 15-019, § 1, passed 4-9-2015; Ord. No. 15-020, § 1, passed 4-9-2015; Ord. No. 15-051, § 1, passed 9-10-2015; Ord. No. 15-059, § 1, passed 10-8-2015; Ord. No. 16-003, § 1, passed 1-14-2016; Ord. No. 16-066, §§ 1, 2, passed 12-8-2016; Ord. No. 19-045, § 1, passed 9-12-2019; Ord. No. 19-051, § 1, passed 10-10-2019; Ord. No. 19-052, § 1, passed 10-10-2019; Ord. No. 19-057, § 1, passed 12-12-2019; Ord. No. 20-020, § 1, passed 5-18-2020; Ord. No. 20-052, § 1, passed 9-14-2020; Ord. No. 20-059, § 1, passed 10-19-2020; Ord. No. 20-064, § 1, passed 11-16-2020; Ord. No. 21-010, § 1, passed 2-15-2021; Ord. No. 21-032, § 1, passed 6-21-2021; Ord. No. 22-013, § 1, passed 1-24-2022; Ord. No. 22-014, § 1, passed 1-24-2022)

SEC. 9-4-95 MEASURING SETBACKS.

(A) Public street setbacks state the minimum distance required between the exterior finished wall of all structures and any adjacent public street right-of-way line. Where property is developed adjacent to an existing or future thoroughfare as identified on the ~~city Thoroughfare Plan~~ **Highway Map of the Comprehensive Transportation Plan**, the public street setback shall be measured from the future thoroughfare right-of-way as determined by the plan or policy of the city.

(B) Side and rear setbacks state the minimum distance required between the exterior finished wall of all structures and the adjacent side or rear property line.

(Ord. No. 2337, § 1, passed 6-13-1991)

SEC. 9-4-100 RESIDENTIAL ACCESSORY STRUCTURE AND BUILDING STANDARDS; EXCEPT AS OTHERWISE REGULATED UNDER ARTICLES H, I, J, K AND M.

(A) Residential; detached accessory.

(1) Location.

(a) May be located in the rear yard and shall not be located in any front or side yard, except as provided under subsection (A)(1)(b) below.

(b) Garages and carports may be located in a side yard.

(2) Setbacks.

(a) Side yard.

1. Not less than the principal building setback for the district and use.

2. Public street setbacks for the district shall apply for all corner or double frontage lots.

(b) Rear yard.

1. Not less than the principal building setback for the district and use, except as further provided.

2. a. Structures or buildings not exceeding 15 feet in height shall be set back not less than five feet and per Article G. Public street setbacks for the district shall apply for all corner or double frontage lots except as provided under subsection (A)(2)(b)2.b. below.

b. The rear yard setback of single-family and two-family attached (duplex) double frontage lots shall be not less than 15 feet provided that: the reverse rear frontage public street is a minor or major thoroughfare street as shown on the adopted ~~Thoroughfare Plan~~ **Highway Map of the Comprehensive Transportation Plan**; no driveway access is existing or permitted by regulation, at the time of building permit application, for the subject lot at any point on the reverse rear frontage; and the front orientation of adjacent dwellings, located on all sides of the subject lot, which share common side and/or rear yard boundaries with the subject lot, shall be to a street frontage other than the reverse rear frontage street of the subject lot.

3. For purposes of this section, the term “reverse rear frontage” shall be construed as the street frontage opposite to the front orientation of the subject dwelling.

(c) Building separation.

1. No detached accessory structure shall be located less than five feet from any other structure located on the same lot.

2. Detached accessory structures not qualified under subsection (A)(2)(c)1. above shall not be located less than ten feet from any principal structure.

3. No detached accessory structure shall be located less than five feet from any other detached accessory structure located on the same lot.

(3) Height.

(a) Except as otherwise provided under subsection (A)(3)(b) below, the height of any accessory structure or building shall not exceed the height of the existing principal building or district maximum height, whichever is less.

(b) In cases where the provisions of this subsection will not allow an accessory structure or building of at least 15 feet in height, then the requirements of this subsection shall be waived to allow an accessory structure or building of 15 feet or less in height at the option of the owner. All other provisions of this section shall apply.

(B) Residential; attached accessory. The location, setback and height shall be in accordance with the district standards established for the principal building unless otherwise provided.

(C) Electric service.

(1) Except as further provided, no accessory building located on a lot containing a single-family residential use shall have a separate electric service.

(2) Single-family accessory buildings may, at the option of the owner, have a separate electric service provided compliance with all of the following:

(a) The accessory building shall not be utilized as a temporary or permanent dwelling;

(b) The principal use single-family dwelling shall both: have not less than an existing and installed 400 amperage electric service, and the existing service shall not have available reserve capacity to adequately serve the accessory use, as determined by the Building Inspector;

(c) The accessory building shall not have separate sanitary sewer service;

(d) The accessory building shall not contain all independent housekeeping facilities and/or qualify as a dwelling unit. For purposes of this section, the term “independent housekeeping facilities” shall be construed to include bathroom, sanitation, living, dining, sleeping, and a permanently installed kitchen that includes residential code compliant electric wiring and plumbing; and

(e) No single-family lot shall have more than two electric services as provided herein; provided, however, a bona fide farm may have electric service to nonresidential farm related buildings without restriction to the total number of electric services allowed under this section.

(D) List of accessory structures or buildings. Residential accessory structures and buildings may include, but not be limited to, the following:

(1) Carport;

(2) Garage;

(3) Greenhouse;

- (4) Playhouse;
- (5) Pumphouse;
- (6) Storage shed;
- (7) Swimming pool;
- (8) Tool shed;
- (9) Work shop;
- (10) Dog pen and/or house, keeping of three or fewer dogs; and
- (11) Satellite dish antennas.

(E) Special requirements for certain accessory structures or buildings.

(1) Outdoor swimming pools. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool structure intended for recreational bathing that contains water over two feet in depth or which exceeds 40 square feet in water surface area shall be surrounded by a four-foot or higher barrier consisting of a fence, wall or building wall or combination thereof which obstructs access to the swimming pool, in accordance with the North Carolina State Building Code. No pool structure, including associated decks and concrete aprons, shall be located nearer than five feet from a property line.

(2) Satellite dish antennas. Shall be subject to section 9-4-103(I) of this article.

(3) Stables and/or kennels. Shall be subject to section 9-4-103(J) of this article.

(4) Sports ramps. Sports ramps shall comply with all of the following:

(a) Sports ramps, including all elevated activity surface areas and all associated flat bottom, standing, stopping or seating surfaces which are six or more inches above the adjacent grade shall not exceed 500 square feet in total on-site elevated surface activity area;

(b) No portion of a sports ramp including structural supports, railings, walls and/or barriers shall exceed ten feet in height above the adjacent grade, as measured at 90 degrees;

(c) A sports ramp that is attached to or which contains an accessory building or other enclosed storage area shall be designed and constructed in accordance with the applicable provisions of the N.C. State Building Code; and

(d) No sports ramp or associated structure shall be attached to or supported by a dwelling structure.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-82, § 1, passed 8-10-1995; Ord. No. 96-106, §§ 1, 2, passed 11-14-1996; Ord. No. 97-5, § 1, passed 1-9-1997; Ord. No. 97-39, § 1, passed 4-10-1997; Ord. No. 02-117, §§ 1, 2, passed 11-14-2002; Ord. No. 03-51, § 1, passed 6-12-2003; Ord. No. 04-95, § 2, passed 8-12-2004; Ord. No. 05-91, § 1, passed 8-11-2005; Ord. No. 07-145, § 1, passed 11-8-2007; Ord. No. 21-003, § 1, passed 1-19-2021)

SEC. 9-4-103 SPECIAL STANDARDS FOR CERTAIN SPECIFIC USES.

(A) Church or place of worship. Shall be subject to the bufferyard regulations; however, no principal or accessory structure shall be located within 20 feet of any adjoining property zoned R-6, R-6A, R-6MH, R-6S, R-9, R-9S, R-15S, MR, MRS, RA-20 or PUD.

(B) Schools; public and private. Shall be subject to the bufferyard regulations; however, no principal or accessory building shall be located within 50 feet of any adjoining property or public street right-of-way line.

(C) Municipal government building or use. When municipal buildings, parks or other recreational areas to be used for athletic events or night programs are located in a residential zone or adjoining a lot containing a permitted residential use, a legislative hearing shall be properly advertised and conducted before the City Council for the purposes of hearing and considering any comments by the public as to the location under consideration.

(D) Family care home.

(1) For purposes of this section, a family care home shall be as defined herein.

(2) Family care homes shall be deemed a residential use of property and shall be permissible in all residential districts subject to subsection (D)(3) below.

(3) No family care home shall be permitted within a one-fourth-mile (1,320 foot) radius of an existing family care home as measured from the nearest lot line.

(4) The Board of Adjustment may grant a reasonable accommodation to the one-fourth-mile (1,320 foot) separation requirement established by subsection (D)(3) above in accordance with the provisions of this subsection in order to allow for a reasonable accommodation under the Federal Fair Housing Act.

(a) The Board of Adjustment shall grant a reasonable accommodation under the Federal Fair Housing Act to the one-fourth-mile (1,320 foot) separation requirement established by subsection (D)(3) above if the Board finds from the evidence produced that the proposed accommodation is reasonable and necessary.

1. Reasonable. Factors which may be considered to determine whether an accommodation is reasonable include but are not limited to the following:

- a. The legitimate purposes and effects of existing zoning regulations are not undermined by the accommodation;
- b. The benefits that the accommodation provides to individuals with disabilities;
- c. Alternatives to the accommodation do not exist which accomplish the benefits more efficiently; and
- d. A significant financial and administrative burden is not imposed by the accommodation upon the city.

2. Necessary. Factors which may be considered to determine whether an accommodation is necessary include but are not limited to the following:

a. Direct or meaningful amelioration of the effects of the particular disability or handicap is provided by the accommodation; and

b. Individuals with disabilities are afforded by the accommodation equal opportunity to enjoy and use housing in residential neighborhoods.

(b) The procedures governing the consideration of a special use as established by state law and the rules of procedure of the Board of Adjustment shall apply to the consideration of a reasonable accommodation under the Federal Fair Housing Act to the one-fourth-mile (1,320 foot) separation requirement established by subsection (D)(3) above. In determining whether to grant a reasonable accommodation under the Federal Fair Housing Act to the one-fourth-mile (1,320 foot) separation requirement established by subsection (D)(3) above, the general criteria set forth in section 9-4-81 may be considered when determining whether the accommodation is reasonable and necessary in accordance with subsection (D)(4)(a) above.

(c) In granting a reasonable accommodation under the Federal Fair Housing Act to the one-fourth-mile (1,320 foot) separation requirement established by subsection (D)(3) above, the Board of Adjustment may prescribe appropriate conditions and safeguards to ensure the purposes of this chapter.

(E) Bona fide farms.

(1) Buildings and structures shall meet the minimum standards for the applicable district. Bona fide farm buildings and structures located in a residential district shall meet applicable single-family dwelling standards.

(2) Agricultural cultivation shall be exempt from any required setbacks, provided no structures are required or utilized within the setbacks listed under subsection (E)(1) above.

(3) Bufferyard vegetation standards shall not apply to any bona fide farm.

(F) Temporary field office.

(1) Shall be limited to 90 days; however, applicable permits may be renewed as necessary.

(2) No living quarters shall be allowed.

(3) May only be utilized in conjunction with construction activity.

(G) Condominium (unit ownership) and townhouse type development. Attached residential and nonresidential units constructed for individual owner occupancy shall be subject to the following:

(1) Interior units of each structure may be constructed on common property lines (zero lot line setbacks) provided the overall structure meets the side, rear and public or private street setback for the applicable use and district. If there is an offset of the wall from the interior common lot line the offset shall be set back not less than five feet.

(2) No two units shall be considered attached unless the units share a five-foot common party wall.

(3) Common party walls shall be constructed in accordance with the North Carolina State Building Code, G.S. Chapter 47C (the North Carolina Condominium Act) and other applicable requirements.

(4) The overall density of the development shall be no greater than that permitted by applicable district requirements.

(5) The maximum lot coverage for the district shall apply to the development.

(6) Buildings, units or lots separated by a public street right-of-way shall be considered individually for compliance under subsections (G)(4) and (5) above.

(7) In the case of staggered or extended common property line walls, a five-foot maintenance and access easement with a maximum two-foot eave encroachment easement within the maintenance easement shall be established on the adjoining lot and shall assure ready access to the lot line wall for normal maintenance. Designated common area which satisfies such access shall meet the requirements of this section.

(8) The minimum lot width of each townhouse lot shall be no less than 16 feet, provided that when the lot is combined with other contiguous lots within the development the combined lot widths are equal to or exceed the minimum lot width of the prevailing district for the particular use. Townhouse lots having preliminary or final subdivision plat approval prior to April 9, 1981 may have a minimum lot width of 14 feet.

(9) All development regulated in accordance with this section shall be subject to the requirements, conditions and restrictions of the subdivision regulations.

(H) Circus, carnival or fairs; temporary only.

(1) The maximum frequency of such temporary use shall not exceed one occurrence within any 12-month period and the maximum duration of the temporary use shall not exceed ten days per occurrence.

(2) No associated activity or storage area, temporary structure, tent, booth, stand, mechanical ride or apparatus or the like shall be located or operated within 500 feet of any residential zoning district.

(3) No such use shall be operated or conducted between the hours of 11:00 p.m. and 8:00 a.m.

(4) Such use shall be subject to applicable setback, parking space requirements and other standards for the district and use; however, the use shall be exempt from the vegetation and parking lot surface improvement standards.

(5) No permanent building, structure or facility shall be located on any lot for the exclusive purpose of operating any temporary use.

(6) Signage shall be allowed in accordance with Article N.

(7) Prior to any operation, a site plan of sufficient detail to ensure compliance with required standards shall be submitted to the city for review and approval of the temporary use.

(I) Satellite dish antennas.

(1) Purpose. It is the purpose of this section to allow the use of satellite dish antennas in both residential and nonresidential districts in a manner which will best provide and ensure:

(a) The health, safety and welfare of the people by ensuring adequate line of sight clearance of the motoring public and adequate light and air to adjacent properties; and

(b) That the aesthetic quality of the city and environs is maintained by minimizing visual obstruction to streetscapes and vistas to and from adjacent properties.

(2) Satellite dish antenna standards.

(a) Sight distance area observed. No satellite dish antenna regardless of size (diameter) and district shall be located within any street sight distance area as described and defined under Title 6, Chapter 2 of the Greenville City Code, whether or not the area has been dedicated by easement or notation on any plat or plan. For purposes of this section all private streets and/or driveways shall be construed as nonthoroughfare streets.

(b) Satellite dish antenna standards; residential districts specifically. (See also subsections (I)(2)(d) and (e).)

1. Location.

a. Except as otherwise provided, dish antennas may be located in the rear yard and shall not be located in any front or side yard.

b. Dish antennas which exceed 80 inches in diameter shall be prohibited from roof tops.

2. Setbacks.

a. Not less than the principal building setback for the district, except as otherwise provided.

b. Dish antennas which exceed 80 inches in diameter shall be prohibited from roof tops.

3. Height.

a. Except as otherwise provided under subsection (I)(2)(b)3.b. below, the height of any dish antenna shall not exceed the height of the existing principal building or district maximum height, whichever is less.

b. In cases where the provisions of this subsection will not allow a dish antenna of at least 15 feet in height, then the requirements of this subsection shall be waived to allow a dish antenna of 15 feet or less in height at the option of the owner. All other provisions of this section shall apply.

(c) Satellite dish antenna standards; nonresidential districts specifically. (See also subsections (I)(2)(d) and (e).) Except as otherwise provided, the location, setback and height of

any dish antenna shall be in accordance with the district minimum established for the principal use and per Article G.

(d) Exemptions.

1. Residential districts. Except as otherwise provided under subsection (I)(2)(e) below, within any residential district any dish antenna that is 40 inches or less in diameter shall be exempt from the requirements set forth under subsection (I)(2)(b) above.

2. Nonresidential districts. Except as otherwise provided under subsection (I)(2)(e) below, within any nonresidential district any satellite dish antenna that is 80 inches or less in diameter shall be exempt from the requirements set forth under subsection (I)(2)(c) above.

(e) Historic districts and historic property and/or landmark application.

1. a. Within any Historic District (HD) Overlay District and/or for any individually designated historic property and/or landmark, no dish antenna shall be located except in conformance with this section and the applicable requirements set forth under Title 9, Chapter 7, Historic Preservation Commission, of the City Code and associated Design Standards Handbook, City of Greenville Historic Preservation Commission; and

b. No dish antenna regardless of size (diameter) shall be erected in any front yard, side yard or public street setback area unless the owner by competent and accepted engineering analysis certifies and demonstrates to the Historic Preservation Commission that reception will be materially limited due to compliance with this section and that there is no available location at the rear of the principal structure and outside any front yard, side yard or public street setback area where service can be obtained; and

c. Where application of this section imposes additional minimal costs on the erection of any dish antenna, the additional minimal costs shall not be construed as a limit on any alternate available location for obtaining service.

2. The Historic Preservation Commission may seek the advice of any competent authority concerning the accuracy and sufficiency of any engineering analysis submitted for consideration under this section.

(J) Stables and/or kennels.

(1) Shall be located no closer than 100 feet to any existing dwelling or residential district; and

(2) Shall otherwise meet the minimum dimensional standards and setbacks within the applicable district, except as provided under subsection (J)(1) above.

(K) Hotel, motel, bed and breakfast inn.

(1) In addition to the specific requirements listed below under subsections (K)(2) and (3), all hotel, motel, bed and breakfast inns including both limited and extended stay lodging facilities shall be subject to the following requirements:

(a) No lodging unit shall be occupied by more than one family. See also definition of family.

(b) The lodging facility shall contain a registration office or area which is staffed 24 hours per day during all periods of operation. A resident manager, supervisor or caretaker shall qualify for purposes of this section.

(c) Housekeeping services shall be provided. Housekeeping services shall include but not be limited to: changing linen, cleaning bathroom and kitchen areas, removal of trash, dusting and vacuuming.

(d) Shall be designed and marketed in a fashion that reflects the intended use for transient lodgers. No person other than an approved resident manager, supervisor or caretaker shall utilize, consider or reference any lodging unit as a secondary or primary place of residence.

(e) The lodging facility may contain restaurants, meeting rooms, indoor recreation facilities, lounges, outdoor swimming pool, entertainment facilities, retail sales of personal accessories for occupants, maid and bell boy service, laundry services, telephone and secretarial services, as accessory uses.

(f) Lodging units which contain cooking facilities must provide a sink which shall be located in the cooking area and shall be in addition to any sink provided for bathroom or bathing purposes.

(g) No lodging unit shall share kitchen or cooking facilities with any other lodging unit.

(2) Limited stay lodging facilities shall be subject to the following additional requirements:

(a) Lodging shall be limited to daily or weekly periods not to exceed 30 continuous days.

(b) Housekeeping services shall be provided on a daily basis.

(c) Not more than 25% of the units may have kitchen and/or cooking facilities.

(3) Extended stay lodging facilities shall be subject to the following additional requirements.

(a) Lodging shall be limited to daily, weekly or monthly periods, not to exceed 90 continuous days.

(b) Housekeeping services shall be provided on a weekly basis or other more frequent period at the option of the owner/operator.

(c) Each extended stay unit may contain kitchen and/or cooking facilities.

(L) Tents.

(1) For purposes of this section, the term "tent" shall be construed to include any temporary shelter, canopy or enclosure of canvas, fabric, plastic film or other stretch material supported and sustained by a pole(s) and/or guy line(s).

(2) Except as otherwise provided, this section shall apply to any commercial, office, institutional, industrial or public assembly activity which utilizes a tent and is conducted as a principal or accessory use regardless of district.

(3) The following shall be exempt from the provisions of this section, provided the tent structure(s) and use thereof comply with all applicable requirements, including but not limited to zoning, building code, fire code and flood damage prevention regulations.

(a) Awnings attached to and supported by a building.

(b) Temporary funeral tents at grave sites.

(c) Temporary noncommercial private special event tents as an accessory activity to a residential dwelling.

(d) Temporary noncommercial recreational camp tents as an accessory activity to a residential dwelling or within an approved campground.

(4) No tent shall be utilized as a permanent principal or accessory structure. Tents shall only be utilized on a limited duration basis in accordance with the following:

(a) Tents that are utilized for principal use purposes shall be subject to the requirements and conditions of a temporary use in accordance with Article B of this chapter.

(b) Tents that are utilized for accessory use purposes shall be subject to all of the following requirements:

1. Not more than one tent shall be displayed on any lot at any one time.

2. No tent shall be erected for more than 30 consecutive days.

3. No lot or establishment shall utilize any tent(s) for more than four separate events within any calendar year.

(c) For purposes of this subsection (L)(4), the term "lot" shall be construed to include all contiguous parcels occupied by an establishment.

(5) Except as otherwise provided, tents shall be setback not less than the principal building setback applicable for the district and in accordance with the bufferyard setback regulations. Support poles, guy lines and stakes may encroach into the street right-of-way setback, provided the encroachments are set back not less than the applicable bufferyard setback.

(6) No tent shall be located within a street sight distance area as defined per Title 6, Chapter 2 of the Greenville City Code.

(7) No tent shall be located so as to obstruct a fire lane; public sidewalk; fire hydrant; building entrance way or emergency exit; public alley; public utility; active driveway, parking lot drive isle or required parking space; garbage/trash container or other area which in the opinion of the Building Inspector would constitute a hazard or danger to the public.

(8) No tent shall be located within a stormwater detention area or structure except as specifically approved by the City Engineer or designee.

(9) No tent shall be located within a floodway as defined per Chapter 6 of this Title.

(10) No tent shall be located within an area of special flood hazard as defined per Chapter 6 of this Title, except as specifically approved by the City Engineer or designee.

(11) All tents shall display a fire retardant certificate approved by the Chief of Fire Rescue or his or her authorized representative.

(12) The proposed use of each separate tent shall be included on the zoning compliance and building permit application. No new use or change of use, other than as specifically approved under the current permit, shall be allowed except upon reapplication and approval.

(13) No tent shall utilize active or mechanical heat and/or air conditioning, electric service and/or artificial lighting or water/wastewater disposal facilities except as specifically approved by the Building Inspector.

(14) All above-grade tent guy line stakes shall be cushioned in a manner approved by the Building Inspector.

(15) All tent support guy lines shall be of a fluorescent color and/or flagged in a manner approved by the Building Inspector.

(16) Tents shall be exempt from and shall not count towards the maximum lot coverage requirement for the district.

(17) Tents and the use thereof shall comply with all applicable fire and building code requirements.

(18) In addition to other requirements, tents utilized for accessory residential purposes shall comply with section 9-4-100 of this article.

(M) Christmas tree sales lot; temporary only.

(1) Such use must qualify as a temporary use per Article B of this chapter.

(2) Christmas tree sales lots located within an OR (Office-Residential) District shall be subject to the following requirements:

(a) No portion of a sales lot shall be located within 100 feet, including public street rights-of-way, of a residential zoning district.

(b) For purposes of this section, the term “sales lot” shall be constructed as any portion of a parcel which is utilized for Christmas tree sales including display areas and related activities and any accessory sales office.

(N) Mobile home.

(1) No mobile home established (new setup) or relocated within the city planning and zoning jurisdiction shall be occupied until the mobile home has been inspected and approved for compliance with the Minimum Housing Code set forth under Title 9, Chapter 1, Article F of the City Code when the Building Inspector makes a finding of noncompliance with the Minimum Housing Code.

(2) Mobile homes shall, upon installation, have either a permanent, continuous masonry foundation, or a continuous and opaque skirt consisting of vinyl, fiberglass or other similar solid nonmetal material. The skirt for a mobile home shall be attached to weather resistant material when required for support.

(O) Restaurant; fast food and/or restaurant; conventional utilizing drive-through services. Except as further provided, whenever a proposed restaurant is to be located adjacent to a permitted residential use, or a residential zoning district, the following minimum standards shall be required:

(1) The restaurant principal structure shall maintain a public street (front yard) setback not less than the adjoining residential zoning district;

(2) The restaurant principal structure shall maintain a side and rear yard setback not less than 25 feet from any property line which abuts a residential zoning district or a permitted residential use;

(3) The maximum height of the restaurant principal and/or accessory structure(s) shall not exceed 35 feet; and

(4) Any exterior menu reader board or order station which contains an audio speaker(s) shall be set back not less than 50 feet from any side or rear property line which abuts a permitted residential use or residential zoning district, and the speaker shall be oriented and directed away from any adjacent permitted residential use or residential zoning district in a manner approved by the Director of Planning and Development Services or his or her designee, and the requirement shall be indicated upon an approved site plan. Separation of the speaker from an adjacent permitted residential use or residential zoning district by an intervening nonresidential building or structure of sufficient dimension to negate or block the transmission of sound may, upon approval of the Director of Planning and Development Services or his or her designee, substitute for the speaker setback, orientation or direction standards of this section. No exterior menu reader board or order station shall be utilized or operated in a manner which constitutes a nuisance or hazard to the general public.

(Ord. No. 06-75, § 1, passed 8-10-2006)

(P) Restaurant, conditional and/or restaurant, fast food; records retention requirement. Records related to the sale of prepared and/or packaged food in a ready-to-consume state and the sale of all other products and services shall be maintained on premises for not less than one year and shall be open for inspection or audit at all reasonable hours during any period of establishment operation by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises of the establishment or may request copies of the written records be delivered to the city. Records of sales of prepared and/or packaged food in a ready-to-consume state and the sale of all other products and services shall be filed separate and apart from all other records maintained on the premises. The requirements of this section shall be for the purpose of determining the portion of sales attributed to the sale of prepared and/or packaged food in a ready-to-consume state. Failure to provide all records required by this section in a timely manner, to be determined by the city, upon written request of the Zoning Enforcement Officer shall constitute a violation of the zoning regulations.

(Ord. No. 09-27, § 10, passed 4-9-2009)

(Q) Television and radio broadcast, cellular telephone, wireless communication towers and distributed antenna systems (DAS).

(1) Towers located within a CG District shall be subject to all of the following requirements:

(a) Shall not exceed 200 feet in height above the adjacent grade, as measured to the highest point, including the support structure and any communication equipment;

(b) Shall be a monopole or other self-supporting structure that does not utilize or require guy-wire or other similar support; and

(c) Co-location of television, radio, cellular telephone or other wireless communication equipment shall be permitted on all tower(s), provided compliance with all requirements.

(2) Towers located within an OR District shall be subject to all of the following requirements:

(a) Shall not exceed 120 feet in height above the adjacent grade, as measured to the highest point, including the support structure and any communication equipment;

(b) Shall be a monopole structure that does not utilize or require guy-wire or other similar support;

(c) Shall be located on a two-acre or larger lot, hereafter referred to as the "parent lot." A tower lease lot of less than two acres within the two-acre or larger parent lot that includes the tower structure, tower accessory structures, ground level mechanical and/or communication equipment, fencing, landscaping, attendant parking, and drives shall be permitted, provided compliance with all requirements;

(d) No tower shall be located within a 500-foot radius of any other existing or vested tower located in an OR District as measured from the center of the towers;

(e) Except as provided in subsection (Q)(2)(f) of this section, the tower structure shall be set back from all perimeter property lines of the parent lot either a distance equal to the total tower height, or in accordance with the bufferyard regulations, whichever is greater;

(f) The tower structure shall be setback from any residential zoned lot or tract either a distance equal to twice the total tower height, or 200 feet, whichever is greater;

(g) For purposes of subsections (Q)(2)(e) and (f) above, the required setback shall be measured from the outside edge of the base of the tower structure to the nearest property line or zoning boundary line; and

(h) Co-location of television, radio, cellular telephone, or other wireless communication equipment shall be permitted on all tower(s), provided compliance with all requirements.

(3) Towers located within the MCH, MCG, MS, MI, and/or MO Districts shall be subject to all of the following requirements:

(a) Shall not exceed 80 feet in height above the adjacent grade, as measured to the highest point, including the support structure and any communication equipment;

(b) Shall be a monopole structure that does not utilize or require guy-wire or other similar support;

(c) Shall be located on a one-acre or larger lot, hereafter referred to as the “parent lot”. A tower lease lot of less than one-acre within the one-acre or larger parent lot that includes the tower structure, tower accessory structures, ground level mechanical and/or communication equipment, fencing, landscaping, attendant parking, and drives shall be permitted, provided compliance with all requirements;

(d) No tower shall be located within a 500-foot radius of any other existing or vested tower as measured from the center of the towers;

(e) The tower structure shall be setback from any residential zoned lot or tract a distance equal to 75% of the tower height. The required setback shall be measured from the outside edge of the base of the tower structure to the nearest property line or zoning boundary line; and

(f) Co-location of television, radio, cellular telephone, or other wireless communication equipment shall be permitted on all tower(s), provided compliance with all requirements.

(4) Digital antenna systems (DAS) located within right-of-way, on city owned infrastructure, on Greenville Utilities Commission owned infrastructure and/or on city property shall be subject to all of the following requirements even if they are intended to replace existing light poles, utility poles or similar structures or are proposed as free-standing towers. Only the minimal use of the public right-of-way and/or city owned and Greenville Utilities Commission owned infrastructure is allowed because the space in the right-of-way should be reserved for public utilities and should be free of safety hazards. In addition, telecommunications facilities located in the right-of-way and mounted on city owned and Greenville Utilities Commission owned infrastructure have the potential of being very visible to pedestrians and the traveling public. In order to locate in a public right-of-way, the size and visibility of DAS equipment and their support structures must use be minimized. Application and permitting of DAS equipment are subject to review procedures in Title 6, Chapter 2:

(a) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within any district and adjacent to a designated major or minor thoroughfare except within the CD District, shall be subject to all of the following requirements:

1. The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 35 feet above grade, including the top of an antenna.

2. Where ground-mounted equipment and support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of ~~Public Works~~ **Engineering**.

3. The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.

(b) DAS located within right-of-way, on city owned infrastructure, on Greenville Utility Commission owned infrastructure, replacing existing power or lights poles owned by the City or Greenville Utilities Commission and/or on city owned property within the CD District, shall be subject to all of the following requirements:

1. The height of DAS equipment, including support poles, whether they are replacing existing light posts, are mounted to existing light posts or are freestanding poles shall not exceed 35 feet above grade, including the antenna, must not have antennas longer than six feet, must be painted to match the color of the poles.

2. Ground-mounted DAS accessory equipment is not allowed in the CD district.

3. Where DAS support poles are proposed on city owned sidewalks, there must be a minimum of five feet of unobstructed sidewalk remaining for pedestrians to pass by the installation or as determined by the Director of ~~Public Works~~ **Engineering**.

4. The location of DAS equipment and support structures must not restrict sight triangles of pedestrians or motorists to roadway intersections and public or private driveways.

5. DAS equipment shall be painted to match the poles to which they are affixed or shall match the color of city-owned and Greenville Utilities Commission owned light poles if they are new or are replacing light poles and shall be designed to minimize the visibility of cables and other appurtenances.

(R) Portable temporary storage unit.

(1) No individual unit shall exceed 320 square feet in floor surface storage area.

(2) No storage unit shall be utilized as a principal use structure.

(3) Except as further provided below under subsection (R)(10), not more than two units totaling 320 square feet in combined total floor surface storage area shall be permitted concurrently on any residential zoned lot and/or on any lot used for residential purposes. Exempt from this requirement are lots containing residential quarters for resident managers, supervisors or caretakers as set forth under section 9-4-78 and Appendix A to this chapter. For purposes of this section, the on-site and/or right-of-way placement of the first unit shall begin the running of time set forth under subsection (R)(7) below. See also subsection (R)(8) below.

(4) Except as further provided below under subsection (R)(10), not more than three units totaling 960 square feet in combined floor surface storage area shall be permitted concurrently on any non-residential zoned lot and/or on any lot used for commercial, office, institutional and/or industrial purposes. For purposes of this section, the on-site and/or right-of-way placement of the first unit shall begin the running of time set forth under subsection (R)(7) below. See also subsection (R)(9) below.

(5) Except as further provided below under subsection (R)(10), all unit(s) subject to this subsection shall be located on an improved parking surface in accordance with Article O. Units located on any site for 336 continuous hours or less may be located on an unimproved surface.

(6) Except as further provided below under subsection (R)(10), no unit on-site parking area, in addition to other improved on-site vehicle parking areas, shall exceed 30% of the front yard area of a single-family dwelling lot or more than 40% of any two-family attached dwelling lot in accordance with Article O.

(7) Except as further provided below under subsection (R)(10), the maximum duration of any temporary unit located on any lot shall not exceed 120 continuous days or more than 120 total days in any 12-month period. The placement of the first unit shall begin the running of time under this subsection.

(8) Except as further provided below under subsection (R)(10), the maximum frequency of any temporary unit located on any residential zoned lot and/or on any lot used for residential purposes shall not exceed three separate occurrences in any 12-month period. Exempt from this requirement are lots containing residential quarters for resident managers, supervisors or caretakers as set forth under section 9-4-78 and Appendix A. Each separate period of one or more concurrently placed units shall count toward the maximum frequency.

(9) Except as further provided below under subsection (R)(10), the maximum frequency of any temporary unit located on any non-residential zoned lot and/or on any lot used for commercial, office, institutional and/or industrial purposes shall not exceed three separate occurrences in any 12-month period. Each separate period of one or more concurrently placed units shall count toward the maximum frequency.

(10) Placement in conjunction with an active construction permit, natural disaster damage repair permit or other building permit may exceed the maximum number, duration and frequency set forth above under subsections (R)(3), (4), (7), (8) and (9) above, and the improved parking surface material and maximum coverage requirements set forth above under subsections (R)(5) and (6), provided the unit(s) shall be removed immediately following completion of the associated permit activity; provided, however, no unit(s) located on a single-family or duplex lot, excepting placement in conjunction with a building permit for the construction of the principal dwelling(s) and/or in conjunction with a natural disaster damage repair permit for any single-family or duplex dwelling(s), shall exceed 180 continuous days. Maximum frequency under this section shall not exceed one occurrence in any 12-month period.

(11) When located on property containing a principal residential use the unit shall only be used for temporary incidental residential accessory use purposes. No unit located on any principal use residential property shall be used for commercial, office, institutional and/or industrial purposes or storage. No unit shall be used in conjunction with any home occupation.

(12) The unit may temporarily displace minimum required parking for the associated principal use dwelling or nonresidential use.

(13) Any unit located on a residential lot may encroach into the minimum public and/or private street (MBL) setback; provided, however, no unit shall be located within any public street right-of-way or private street easement, except as further provided. No such unit shall be located in any minimum side and/or rear yard setback or minimum bufferyard setback applicable to an accessory structure except when located on an existing improved driveway or qualified parking area. A unit may be located within a public street right-of-way upon issuance of an encroachment

agreement from the authority having jurisdiction, provided compliance with all other provisions of this section.

(14) Any unit located on a commercial, office, institutional and/or industrial lot may encroach into the minimum public and/or private street (MBL) setback, provided however no unit shall be located within any minimum perimeter and/or street bufferyard.

(15) No unit shall encroach within the “area of minimum protection (by plant material type)” set forth under section 9-4-265(G)(2) for required vegetation.

(16) No unit shall contain or receive permanent or temporary electric service, water and/or sanitary sewer service.

(17) No unit shall be used for human or animal occupancy.

(18) The unit shall comply with Accessory Structure Building Code placement, tie-down and other applicable standards as determined by the Building Inspector in the particular case.

(19) Except as further provided, no unit shall be stored in any public street right-of-way or private street easement. A licensed motor vehicle unit or wheeled trailer unit attached to a licensed motor vehicle may be stored in the street right-of-way or street easement on a temporary basis in accordance with this section and applicable zoning and traffic regulations. A unit may be located within a public street right-of-way upon issuance of an encroachment agreement from the authority having jurisdiction, provided compliance with all other provisions of this section.

(20) Permanent signage attached to a licensed motor vehicle unit, licensed wheeled trailer unit or other non-wheeled container unit transported to the lot on a removable chassis shall be exempt from the sign regulations; provided, however, any permanent use of any unit shall not be exempt from the sign regulations.

(21) No unit shall be located in any street sight distance area, or in any manner that obstructs vehicle or pedestrian access or lines of sight.

(22) No unit shall be located and/or used in any manner that creates a nuisance, public health or safety hazard. When a nuisance, public health or safety hazard condition is found to exist, the owner of the lot and/or unit shall immediately remove the unit to a location in compliance with this section following personal and/or written notice from any building Inspector, nuisance abatement officer or Zoning Enforcement Officer. Any location or use inconsistent with the provisions of this section shall be construed as both a nuisance and a violation of the zoning regulations.

(23) No unit shall be located in any manner that obstructs any designated fire lane or that otherwise obstructs or blocks access to any fire hydrant, building or structure.

(24) Except as provided above under subsection (R)(18) above, no additional permit shall be required for any unit regulated under this section.

(25) Any storage units to be located and used as permanent accessory structures on a nonresidential zoned lot and/or on any lot used for commercial, office, institutional and/or industrial purposes shall meet the minimum requirements applicable to an accessory building and/or structure for the district and use as well as the following:

(a) The number of units that may be located and utilized as permanent accessory structures will be determined by the size of the lot on which the unit(s) is (are) proposed to be located as follows:

1. If the lot is one acre or less in area, then no more than one unit totaling no more than 320 square feet in total floor surface storage area may be utilized as a permanent accessory structure.

2. If the lot is greater than one acre, but less than three acres in area, then no more than two units totaling no more than 640 square feet in combined total floor surface storage area may be utilized as permanent accessory structures.

3. If the lot is three acres or greater in area, then no more than three units totaling no more than 960 square feet in combined total floor surface storage area may be utilized as permanent accessory structures.

(b) No storage unit shall be used as a permanent accessory structure in the CD or CDF Districts.

(26) No storage unit shall be used as a permanent accessory structure or building on any residential zoned lot and/or on any lot containing a residential use; provided, however, lots containing residential quarters for resident managers, supervisors or caretakers as set forth under section 9-4-78 and Appendix A shall be exempt from this requirement.

(S) Wine and craft beer shop (see also Section 9-4-22).

(1) A wine and craft beer shop may sell wine and/or craft beer for consumption on the premises, provided that the on-premises consumption of wine and/or craft beer constitutes an accessory and incidental use to the wine and craft beer shop.

(2) A wine and craft beer shop that also has the requisite state permit(s) that allows retail sales of malt beverages for on-premises consumption, in accordance with G.S.18B-1001 as amended, may sell both wine and malt beverages for consumption on the premises, provided that the combined on-premises consumption of wine and malt beverages constitute an accessory and incidental use to the primary retail use wine and craft beer shop.

(3) For purposes of this section, on-premises consumption of wine and malt beverages shall be deemed an accessory and incidental use to a wine and craft beer shop, provided the combined sale of wine and malt beverages for consumption on the premises does not exceed 40% of the wine and craft beer shop's total sales of wine and malt beverages including both on-premises and off-premises consumption, for any 30-day period. The term "sale(s)" as used herein shall be the receipt of payment for the wine and malt beverages sold and/or consumed and shall not be a measure of the volume of wine and malt beverages sold and/or consumed.

(4) Records related to the wine and craft beer shop's total sales of wine and malt beverages for both on-premises and off-premises consumption shall be maintained on the premises for not less than one year and shall be open for inspection and audit at all reasonable hours when the establishment is open for business by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises or may request that copies of the written records

be delivered to the city. The requirements of this subsection shall be for the purpose of determining compliance with subsection (S)(3) above.

(5) No wine and craft beer shop that includes the on-premises consumption of wine and malt beverages shall be located within a 200-foot radius, including street rights-of-way, of an existing or approved bar, dining and entertainment establishment, or other wine and craft beer shop that includes the on-premises consumption of wine and malt beverages. The required measurement shall be from the building or structure containing the wine and craft beer shop to the nearest property line of the parcel containing the existing or approved bar, dining and entertainment establishment, or other wine shop that includes the on-premises consumption of wine and malt beverages.

(6) A wine and craft beer shop shall not operate after 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday or after 12:00 a.m. on Friday and Saturday.

(7) A wine and craft beer shop shall not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation.

(8) A wine and craft beer shop that does not meet the requirements of section 9-4-103(S) shall be deemed a bar for the purpose of zoning and land use classification.

(9) The provisions of this section shall apply to all wine and craft beer shops whether operated as a principal or accessory use.

(T) Golf course, 18-hole regulation length and/or golf course, nine-hole regulation length. A golf course; 18-hole regulation length and/or golf course, nine-hole regulation length, or portion thereof, located within a residential district shall be subject to the following requirements:

(1) A golf course, 18-hole regulation length, may include an accessory use member-guest only dining facility and/or a public restaurant, snack bar, pro-shop, member-guest only social club, tennis courts, swimming facilities and/or other customarily associated golf course activity, which is open to members, guests and/or the general public.

(2) A golf course, nine-hole regulation length, may include an accessory use member-guest only dining facility, snack bar, pro-shop, member-guest only social club, tennis courts, swimming facilities and/or other customarily associated golf course activity, which is open to members, guests and/or the general public, unless otherwise provided. A nine-hole regulation length course shall not contain an accessory public restaurant.

(3) Accessory public restaurant facilities must be located within the principal use golf course structure (i.e., golf clubhouse) and shall not be located in a separate and detached single-use stand-alone structure. Outdoor seating and dining areas shall be subject to subsection (T)(5) below. No public restaurant may be located in any detached accessory structure.

(4) Except as further provided under subsection (T)(6) below, accessory public restaurant hours shall be limited to the period 7:00 a.m. to 10:00 p.m. No food or beverage may be sold to the general public prior to 7:00 a.m. or after 10:00 p.m. of any day.

(5) Except as further provided under subsection (T)(6) below, no accessory public “restaurant; outdoor activity” area shall be located within 300 feet, as measured to the closest

point, of any abutting residential lot or parcel located within a residential district which allows single-family dwellings as a permitted use.

(6) An accessory public restaurant associated with a golf course may provide food services for golf course and/or golf club sponsored member-guest only events without regard to the limitations of subsections (T)(4) and (5).

(7) Restaurant drive-through and/or drive-in facilities and services shall be prohibited.

(8) Golf course signage, including accessory use identification signage, shall be in accordance with section 9-4-233(L).

(9) For purposes of this section, the term “public restaurant” shall be construed as an eating establishment as defined herein under the term “restaurant, conventional,” that is open to the general public, and is not restricted to members and their guests, or patrons of the golf course.

(U) Dining and entertainment establishments not subject to Article E. Shall comply with all of the following:

(1) When a dining and entertainment establishment both: is located within a 500-foot radius, including street rights-of-way, of a residential zoning district as measured from the building or structure containing a dining and entertainment establishment to the nearest residential zoning district boundary; and the establishment provides or utilizes amplified audio entertainment as defined herein after 11:00 p.m. on any day, the establishment shall be subject to a security requirement during and after the period of amplified audio entertainment as follows:

(a) Establishments that have an approved occupancy above 50 but less than 200 total persons as determined by the Building Inspector shall employ not less than one uniformed off-duty law enforcement officer, or not less than one uniformed security guard provided by a security guard and control profession licensed in accordance with the provisions of G.S. Chapter 74C, to patrol the parking lot, and to disperse the crowd, and to direct traffic during the period 11:00 p.m. to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises and associated parking area. The required security personnel shall remain on duty and visible outside the establishment, and shall be accessible to law enforcement officers at all time. This section shall apply regardless of the number of patrons actually within the establishment at the time of amplified audio entertainment.

(b) Establishments that have an approved occupancy of 200 or more total persons as determined by the Building Inspector shall employ not less than two uniformed off-duty law enforcement officers, or not less than two uniformed security guards provided by a security guard and control profession licensed in accordance with the provisions of G.S. Chapter 74C, to patrol the parking lot, and to disperse the crowd, and to direct traffic during the period 11:00 p.m. to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises and associated parking area. The required security personnel shall remain on duty and visible outside the establishment, and shall be accessible to law enforcement officers at all time. This section shall apply regardless of the number of patrons actually within the establishment at the time of amplified audio entertainment.

(c) For purposes of this section, the term “residential zoning district” shall include the following districts: RA-20, R-6MH, R-6, R-6A, R-6A-RU, R-6N, R-6S, R9, R9S, R-15S, PUD, MR and MRS.

(2) The owner(s) and operator(s) of a dining and entertainment establishment shall collect and properly dispose of all litter and debris generated by their establishment or patrons immediately following the closure of business or not later than 7:00 a.m. each morning following any period of operation. All litter or debris shall be collected from within the boundaries of the establishment, associated parking areas, adjacent sidewalks and public rights-of-way or other adjacent public property open to the public. In addition, the owner(s) and operator(s) of a dining and entertainment establishment shall comply with the provisions of Title 11, Chapter 9, of the City Code entitled “Litter Control in Parking Lots.”

(3) May require a membership, cover or minimum charge for admittance or service during regular or special periods of operation;

(4) Weekdays. Except as further provided under subsection (U)(6) below, dining and entertainment establishments located in any zoning district shall not have amplified audio entertainment after 11:00 p.m. each Monday, Tuesday, Wednesday, and Thursday night and before 11:00 a.m. of the next day. For purposes of this section, “amplified audio entertainment” shall mean any type of music or other entertainment delivered through and by an electronic system; provided; however; televisions operating with no amplification other than their internal speakers or televisions connected to a master sound system operating at low amplification and indoor background music system operating at a low amplification and not intended as a principal form of entertainment shall not be deemed amplified audio entertainment;

(5) Weekends. Except as further provided under subsection (U)(6) below, dining and entertainment establishments located in any zoning district shall not have amplified audio entertainment after 2:00 a.m. each Friday and Saturday night and before 11:00 a.m. of the next day, and shall not have amplified audio entertainment after 11:00 p.m. each Sunday night and before 11:00 a.m. of the next day. For purposes of this section, “amplified audio entertainment” shall mean any type of music or other entertainment delivered through and by an electronic system, provided however televisions operating with no amplification other than their internal speakers or televisions connected to a master sound system operating at low amplification and indoor background music system operating at a low amplification and not intended as a principal form of entertainment shall not be deemed amplified audio entertainment;

(6) Provisions for extended hours of operation for amplified audio entertainment.

(a) The allowable period for amplified audio entertainment for any dining and entertainment establishment in any zoning district may be extended, at the option of the owner/operator, from the times specified under subsections (U)(4) and (5) above to not later than 2:00 a.m. the following day on December 31 (New Year’s Eve).

(b) The allowable period for amplified audio entertainment for any dining and entertainment establishment that meets the separation requirements as specified under subsection (U)(6)(d) below may be extended, at the option of the owner/operator, from the times specified under subsections (U)(4) and (5) above on each Thursday night to no later than 2:00 a.m. the following day.

(c) The allowable period for amplified audio entertainment for any dining and entertainment establishment that meets the separation requirements as specified under subsection (U)(6)(d) below may be extended, at the option of the owner/operator, from the times specified under subsections (U)(4) and (5) above to no later than 2:00 a.m. the following day on March 17 (St. Patrick's Day), May 5 (Cinco de Mayo); July 4 (Independence Day) and October 31 (Halloween).

(d) To qualify for extended hours of operation for amplified audio entertainment as provided in subsections (U)(6)(b) and (U)(6)(c) above, the dining and entertainment establishment shall not be located within a 500-foot radius, including street rights-of-way, of (i) a conforming use single-family dwelling located in any district, or (ii) any single-family residential zoning district. The required measurement shall be from the building or structure containing the dining and entertainment establishment to the nearest single-family dwelling lot line or single-family residential zoning district boundary line. For purpose of this subsection, the term "single-family residential zoning district" shall include any RA20; R15S; R9S; R6S; and MRS district.

(e) In no event shall the noise generated by amplified audio entertainment exceed the noise control provisions as provided in Title 12, Chapter 5, of the Greenville City Code.

(7) Shall have sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of 30% of the total gross receipts for the establishment during any month.

(a) In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state, the following sales shall be included: food prepared in the establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order; packaged food sold to accompany the meal; and non-alcoholic beverages sold to accompany the meal.

(b) The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state: mixed alcoholic beverages, including the mixer; any other alcoholic beverage; grocery items not ordered and purchased with meals; and any other product, item, entertainment, service, or gratuity which is not specified in this subsection as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state.

(c) A membership, cover or minimum charge for admittance or service shall not be included in either the total gross receipts for the establishment or in the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state.

(d) For purposes of determining compliance under this subsection, the Zoning Enforcement Officer may utilize and rely upon any routine or special audit report prepared by a department, subsection of a department, or agency of the State of North Carolina;

(8) Records related to the sale of prepared and/or packaged food in a ready-to-consume state and the sale of all other products and services shall be maintained on premises for not less than one year and shall be open for inspection or audit at all reasonable hours during any period of establishment operation by the Zoning Enforcement Officer. The Zoning Enforcement Officer may view the records on the premises of the establishment or may request copies of the written records be delivered to the city. Records of sales of prepared and/or packaged food in a ready-to-

consume state and the sale of all other products and services shall be filed separate and apart from all other records maintained on the premises. The requirements of this subsection shall be for the purpose of determining compliance with subsection (U)(7) above. Failure to provide all records required by this subsection in a timely manner, to be determined by the city, upon written request of the Zoning Enforcement Officer shall constitute a violation of the zoning regulations;

(9) A lighting plan shall be submitted to the Director of Planning and Development Services or authorized agent for review and approval and lighting fixtures shall be installed and maintained pursuant to the approved plan which illuminates all exterior portions of the building, lot area and parking lot as determined appropriate by the Director of Planning and Development Services or authorized agent. Lighting shall be located and shielded to prevent the light cone of all exterior fixtures from encroaching beyond the property boundary line and into any adjacent public right-of-way, property or dwelling. Required or additional optional lighting shall comply with this subsection and section 9-4-104; and

(10) A parking plan which conforms to the provisions of Article O shall be submitted to the Director of Planning and Development Services, or authorized agent for site plan review and approval in accordance with the provisions of the Land Development Administrative Manual. The exemption provisions of section 9-4-243(B) shall not apply to a dining and entertainment establishment and each establishment shall provide all required parking spaces specified under section 9-4-252 on-site or in an approved remote parking facility in accordance with section 9-4-250.

(V) Beekeeping; minor use.

(1) The standards, requirements, conditions and restrictions of section 12-2-27(c) shall apply for locations and uses both within the city limits and within the extraterritorial jurisdiction.

(W) Reserved.

(X) Shelters for the homeless or abused located within the OR District. Shall be located on a parcel of land no less than 0.5 acre in area.

(Y) Internet sweepstakes business (see also section 9-4-22).

(1) No internet sweepstakes business shall be located within a one-half mile (2,640 foot) radius of an existing or approved internet sweepstakes business.

(2) No internet sweepstakes business shall be located within a 500-foot radius of the following:

- (a) An existing conforming use single-family dwelling located in any district;
- (b) Any single-family residential zoning district; and
- (c) An existing or approved school, church, park or multi-family use.

(3) The measurements associated with subsections (1) and (2) above shall be made from the exterior wall of the proposed internet sweepstakes business to the nearest exterior wall of any existing or approved internet sweepstakes business, existing conforming use single-family dwelling located in any district, or existing or approved school, church or multi-family use. The

measurement shall be made from the exterior wall of the proposed internet sweepstakes business to the nearest property line of any single-family residential zoning district or park.

(4) No internet sweepstakes business shall be located within any certified redevelopment area.

(5) The use shall be conducted within a completely enclosed building with no outside congregation of customers permitted for any purpose.

(Z) Major or Minor repair facilities.

(1) All tires displayed outside shall comply with section 9-4-86(B)(7). All tires stored outside shall comply with section 9-4-86(B)(9).

(AA) Hookah Café (see also section 9-4-22).

(1) No hookah café shall be located within a one-fourth mile (1,320 foot) radius of an existing or approved hookah café.

(BB) Tobacco Shop (Class 1) (see also section 9-4-22).

(1) No tobacco shop (class 1) shall be located within a 500-foot radius of an existing or approved school. This measurement shall be made from the exterior wall of the proposed tobacco shop (class 1) to the nearest exterior wall of any existing or approved school.

(2) No tobacco shop (class 1) shall be located within any certified redevelopment area.

(CC) Tobacco Shop (Class 2) (see also section 9-4-22).

(1) No tobacco shop (class 2) shall be located within a one-half mile (2,640 foot) radius of an existing or approved tobacco shop (class 1) or tobacco shop (class 2).

(2) No tobacco shop (class 2) shall be located within a 500-foot radius of the following:

(a) An existing conforming use single-family dwelling located in any district;

(b) Any single-family residential zoning district; and

(c) An existing or approved school, church, park or multi-family use.

(3) The measurements associated with divisions (BB)(1) and (2) above shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest exterior wall of any existing or approved tobacco shop (class 1 or 2), existing conforming use single-family dwelling located in any district, or existing or approved school, church or multi-family use. The measurement shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest property line of any single-family residential zoning district or park.

(4) No tobacco shop (class 2) shall be located within any certified redevelopment area.

(DD) Domestic Violence Center (see also section 9-4-22).

(1) The minimum lot size shall be 15,000 square feet.

(2) Maximum occupancy shall be in accordance with the North Carolina State Building Code or not more than one person per each 500 square feet of lot area, whichever is less.

(3) On-site supervision shall be maintained during all hours of operation.

(4) Single-building development shall be in accordance with single-family standards.

(5) Multiple-building development shall be in accordance with multi-family development standards.

(6) Parking shall be required at a ratio of one space per every two supervisors and one space per each 500 square feet of habitable floor area.

(EE) Digital broadcast studio.

(1) No living quarters shall be allowed.

(2) No transmission towers and/or monopoles are allowed.

(FF) Pet grooming facility.

(1) Pet grooming and holding will not extend before 7 a.m. or beyond 8 p.m.

(2) Standalone pet grooming facilities are not to include training, exercise, socialization, keeping or boarding, breeding or sale or rental of pets.

(3) In the event of a combined use within a single premise any and all pet grooming activities shall occur exclusively within an enclosed area.

(4) In no event shall pets be kept outside of the structure for purposes of grooming or holding.

(II) School; small, private.

(1) All associated recreational facilities shall be treated as an accessory use.

(2) No musical concerts shall be held at any outdoor recreation field located at the small private school. This prohibition shall in no aspect be interpreted so as to preclude marching or other school bands practicing on any such outdoor recreation field or performing during any sporting or other event, including pep rallies.

(3) May be located on one or more parcels of land.

(4) All new driveways and new perimeter parking areas shall be placed as far from abutting residential properties as is reasonably practical as determined by the Director of Engineering or their designee.

(5) Parking requirements shall either comply with the Article O requirements for School; elementary and junior high, or School; senior high depending on grades served, k-8 and 9-12 respectively. In the event that any outdoor recreation fields are located at a school serving grades k-8 then an additional requirement of one space per 10 seats shall also be enforced.

(6) Loading and unloading of students shall be off-street.

(7) Maximum building coverage shall not exceed the underlying district requirements.

(8) Notwithstanding the Noise Ordinance of the City of Greenville, there shall be no amplified sound not related to ongoing athletic competitions or school events. Operation of the sound and lighting components of the outdoor recreational facilities by entities other than the associated school(s) shall be limited to one occurrence per month. An occurrence means third party usage of either the lights, amplified sound or both at once and will consist of one event on one day. One week will be interpreted as being Monday - Sunday. No amplified sound for said occurrence will be permitted past 9:00 p.m.

(9) On weekends (Friday - Saturday) the hours of operation for outdoor recreation fields for any game, event, or practice shall not exceed one hour after the end of the game, event, or practice and/or 11 p.m., whichever comes first. On Sunday the hours of operation shall not exceed 5:00 p.m. On all other days the hours of operation shall not exceed 9:30 p.m.

(10) No outdoor amplified sound equipment shall be operated prior to 9:30 a.m.

(11) No outdoor amplified sound equipment shall produce a sustained decibel level higher than 75 at an adjacent property line. Sustained shall be taken to mean an average reading observed over the course of 20 seconds.

(12) Notwithstanding the foregoing provisions there shall be no restriction on use of amplified sound equipment that produces 60db or less as measured at any property line between the hours of 9:30 a.m. and 9:30 p.m.

(13) Lighting of outdoor sports fields and performance areas shall be designed to meet the standards found in the document "Lighting Standards for the City of Greenville" as well as in accordance with the following requirements:

(a) All such lighting fixtures shall be equipped with a glare control package (e.g., directional LED lighting, louvers, shields or similar devices), and any fixtures shall be aimed so that their beams are directed within the playing or performance area.

(b) Light levels at adjacent property lines shall not exceed ambient light levels by 0.5 foot candles in any circumstance.

(c) Light measurement technique: Light level measurements shall be made at the property line of the property upon which light to be measured is being generated. Measurements will first be taken with the light off and then with the light on to establish a baseline for ambient light conditions. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the light registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent. Measurements shall be taken with a light meter that has been calibrated within two years. Light levels are specified, calculated and measured in foot candles.

(d) In the event a dispute between the City and the property owner or lessee over the validity of any light measurements taken by the City arises, then at the expense of the party

disputing the claim, an independent engineer may be hired to conduct new measurements. The engineer shall be licensed by the state and shall take all measurements while accompanied by a representative of the city. Both parties shall certify the readings on the independent engineer's light meter and measurements shall be taken in the same way as described above in section 9-4-103 (II)(7)(d).

(JJ) Modular data processing facility.

(1) Systems, equipment, and structures (excluding electric transmission lines and utility poles) shall not exceed 35 feet in height.

(2) All equipment and structures shall be a minimum of 100 feet from the boundary of the lot. Public street setback shall be in accordance with Section 9-4-94.

(3) Any electric wiring shall be located underground, except where wiring is brought together for interconnection to system components and/or the local utility power grid.

(4) Bufferyard "F" shall apply except where the property abuts public/private streets or railroad rights-of-way in which the bufferyard as set forth in Article G shall apply.

(5) No sound may exceed 65 (dB(A)) as measured from the property line when the adjoining property is a conforming residential use or within the following zoning districts: RA20 (Residential-Agricultural), R15S (Residential-Single-family), R9 (Residential), R9S (Residential-Single-family), R6 (Residential), R6A (Residential), R6N (Residential), R6S (Residential-Single-family), R6MH (Residential-Mobile Home), MR (Medical- Residential), OR (Office-Residential), O (Office), and CDF (Downtown Commercial Fringe), CG (General Commercial) and CH (Heavy Commercial). A sound study shall be required at the discretion of the Planning and Development Services Department Director or when this use is located within 250 feet of any of the above listed zoning districts except when the Planning and Development Services Department Director determines it not necessary. This shall be measured from property line to property line.

(6) No sound may exceed 75 (dB(A)) as measured from the property line when the adjacent property is zoned I (Industry), IU (Unoffensive Industry) PIU (Planned Unoffensive Industry) and PI (Planned Industry).

(7) The business owner shall provide a statement to the Planning and Development Services Director from an acoustical consultant that the use complies with the sound levels as prescribed in this section by January 31 of every calendar year.

(8) Shall not be located within a 2,500-foot radius of an existing or approved school measured from property line to property line.

(9) Shall not be located within a 2,500-foot radius of an existing conforming singlefamily dwelling in any district as measured from property line to property line.

(10) Shall be located on no less than 35 acres.

(11) Signage shall be in accordance with Article N. Signs.

(12) No signage shall be permitted on the perimeter fence, with the exception of one sign not to exceed 32 square feet that shall display the name, address, and emergency contact information of the facility, as well as appropriate warning signs.

(13) No grid-connected data processing system shall be installed until evidence has been provided by the operator that installation of the system has been approved by the electrical utility provider. Off-grid systems shall be exempt from this requirement.

(14) All exterior lighting shall be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.

(15) Any structure or equipment associated with the facility that is not operated for a continuous period of 365 days shall be considered abandoned, and the city may require the owner to remove such structures and equipment within 90 days after notice from the city. If the abandoned structure or equipment is not removed within 90 days, the city may remove it and recover its costs from the owner, whether the facility is located within the city limits or not. If the owner of the abandoned structure or equipment cannot be located or is no longer in business, the requirements of this section shall be the responsibility of the landowner on whose property the structure or equipment is located.

(KK) Data processing center.

(1) Systems, equipment, and structures (excluding electric transmission lines and utility poles) shall not exceed 35 feet in height.

(2) Any electric wiring shall be located underground, except where wiring is brought together for interconnection to system components and/or the local utility power grid.

(3) No sound may exceed 65 (dB(A)) as measured from the property line when the adjoining property is a conforming residential use or within the following zoning districts: RA20 (Residential-Agricultural), RI 5S (Residential-Single-family), R9 (Residential), R9S (Residential-Single-family), R6 (Residential), R6A (Residential), R6N (Residential), R6S (Residential-Single-family), R6MH (Residential-Mobile Home), MR (Medical- Residential), OR (Office-Residential), O (Office), and CDF (Downtown Commercial Fringe), CG (General Commercial) and CH (Heavy Commercial). A sound study shall be required at the discretion of the Planning and Development Services Department Director or when this use is located within 250 feet of any of the above listed zoning districts except when the Planning and Development Services Department Director determines it not necessary. This shall be measured from property line to property line.

(4) No sound may exceed 75 (dB(A)) as measured from the property line when the adjacent property is I (Industry), IU (Unoffensive Industry) PIU (Planned Unoffensive Industry) and PI (Planned Industry).

(5) The business owner shall provide a statement to the Planning and Development Services Director from an acoustical consultant that the use complies with the sound levels as prescribed in this section by January 31 of every calendar year.

(6) Shall not be located within a 2,500-foot radius of an existing or approved school measured from property line to property line.

(7) Shall not be located within a 2,500-foot radius of an existing conforming singlefamily dwelling in any district as measured from property line to property line.

(8) Signage shall be in accordance with Article N. Signs.

(9) No grid-connected data processing system shall be installed until evidence has been provided by the operator that installation of the system has been approved by the electrical utility provider. Off-grid systems shall be exempt from this requirement.

(10) All exterior lighting shall be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.

(11) Any structure or equipment associated with the facility that is not operated for a continuous period of three hundred sixty-five (365) days shall be considered abandoned, and the City may require the owner to remove such structures and equipment within 90 days after notice from the City. If the abandoned structure or equipment is not removed within 90 days, the City may remove it and recover its costs from the owner, whether the facility is located within the city limits or not. If the owner of the abandoned structure or equipment cannot be located or is no longer in business, the requirements of this section shall be the responsibility of the landowner on whose property the structure or equipment is located.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 2423, § 1, passed 2-13-1992; Ord. No. 95-116, § 1, passed 11-9-1995; Ord. No. 96-80, § 4, passed 8-8-1996; Ord. No. 97-5, §§ 3, 4, passed 1-9-1997; Ord. No. 97-85, §§ 1, 2, passed 8-14-1997; Ord. No. 97-86, § 5, passed 8-14-1997; Ord. No. 98-21, § 1, passed 2-12-1998; Ord. No. 98-67, § 2, passed 6-11-1998; Ord. No. 98-115, § 1, passed 9-10-1998; Ord. No. 99-5, § 1, passed 1-14-1999; Ord. No. 00-19, § 8, passed 2-10-2000; Ord. No. 03-31, § 4, passed 4-10-2003; Ord. No. 04-43, § 2, passed 5-13-2004; Ord. No. 04-96, § 2, passed 8-12-2004; Ord. No. 04-143, § 2, passed 11-8-2004; Ord. No. 05-64, § 3, passed 6-9-2005; Ord. No. 06-25, § 2, passed 3-9-06; Ord. No. 06-93, § 2, passed 9-14-2006; Ord. No. 06-113, § 4, passed 11-9-2006; Ord. No. 07-11, § 4, passed 1-11-2007; Ord. No. 09-27, § 9, passed 4-9-2009; Ord. No. 10-83, § 2, passed 10-14-2010; Ord. No. 10-106, § 6, passed 12-9-2010; Ord. No. 11-055, § 3, passed 9-8-2011; Ord. No. 11-078, § 2, passed 12-8-2011; Ord. No. 12-004, § 1, passed 1-12-2012; Ord. No. 12-033, § 1, passed 8-9-2012; Ord. No. 12-044, § 2, passed 10-11-2012; Ord. No. 12-045, § 3, passed 10-11-2012; Ord. No. 12-051, § 2, passed 11-8-2012; Ord. No. 12-069, § 2, passed 12-13-2012; Ord. No. 13-007, § 3, passed 2-14-2013; Ord. No. 14-010, passed 2-13-2014; Ord. No. 14-020, passed 4-10-2014; Ord. No. 15-019, § 3, passed 4-9-2015; Ord. No. 16-003, § 3, passed 1-14-2016; Ord. No. 16-066, §§ 5, 6, passed 12-8-2016; Ord. No. 17-036, § 1, passed 5-11-2017; Ord. No. 19-045, § 1, passed 9-12-2019; Ord. No. 19-051, § 3, passed 10-10-2019; Ord. No. 19-052, § 3, passed 10-10-2019; Ord. No. 20-052, § 2, passed 9-14-2020; Ord. No. 20-059, § 2, passed 10-19-2020; Ord. No. 21-032, § 1, passed 6-21-2021; Ord. No. 21-058, § 1, passed 11-8-2021; Ord. No. 22-013, § 6, passed 1-24-2022; Ord. No. 22-014, §§ 4, 5, passed 1-24-2022)

SEC. 9-4-104 LIGHTING STANDARDS; EXTERNAL.

(A) Unless otherwise provided all external site illumination for any use shall be in accordance with this section **and the Lighting Standards for the City of Greenville.**

(B) No lighting shall be directed toward or placed in such a manner as to shine directly into a public right-of-way or residential premises. For purposes of this section, the term “residential premises” shall constitute a structure which is designed and approved for use as a dwelling unit.

(C) No lighting shall illuminate any public right-of-way, street or any adjoining or area property in such a manner as to constitute a nuisance or hazard to the general public.

(D) No lighting shall contain flashing or intermittent lights or lights of changing degrees of intensity.

(E) This section shall not abrogate the City of Greenville or Greenville Utilities Commission authority to erect or maintain any site and/or street lighting in the interest of the public health, safety and welfare.

(Ord. No. 2722, § 1, passed 10-14-1993)

SEC. 9-4-120 STANDARDS.

(A) Measurements; location of bufferyards. Bufferyard setbacks shall be measured from lot boundary lines except as further provided.

(B) Thoroughfares. Where a lot is located in proximity of an existing or future thoroughfare, as shown on the officially adopted **Thoroughfare Plan Highway Map of the Comprehensive Transportation Plan**, all bufferyard setbacks shall be measured from the ultimate future thoroughfare right-of-way line or property line, which yields the greatest setback.

(C) Overlapping bufferyards. Whenever two or more bufferyard requirements are applicable to the same use or combination of uses, then the more stringent of the bufferyard requirements shall apply, except as further provided.

(D) Planned center. In the case of planned centers containing multiple principal uses, such as shopping centers, office/commercial unit ownership type developments and the like, the initial bufferyard requirement shall be based on the anticipated primary occupancy of the center and the requirement shall apply to all subsequent uses absent any change in zoning for the planned center.

(E) Shopping centers, condominium/townhouse, multi-family group and planned center type developments. Bufferyards are required only along exterior property lines of the project.

(F) Easement. No fence, evergreen hedge or berm optioned or required by this article shall be located on property subject to utility or drainage easements without the written consent of the city and easement holder. Site plan approval from the respective easement holder shall be construed as approval of all noted encroachments.

(G) Drainage ditch. No fence, evergreen hedge or berm optioned or required by this article shall be located within five feet of the outer edge of a drainage ditch. Stormwater detention structures having a slope of two feet horizontal for each one foot vertical or steeper shall be considered a drainage ditch for purposes of this section.

(H) Encroachments.

(1) Bufferyards for adjacent public and/or private streets may only be encroached upon by driveways, signage and general (public/customer) pedestrian access walkways, provided the walkways comply with subsection (H)(3) below.

(2) Bufferyards for peripheral lot boundaries shall not be encroached upon by vehicular areas (except common access drives and parking lots), service access walkways, exterior storage, mechanical equipment, principal and/or accessory structures, garbage/trash container pads and the like unless otherwise provided. Encroachments by stormwater detention structures may be allowed subject to the approval of the City Engineer. Exterior lighting may encroach three feet into required bufferyards. General (public/customer) pedestrian access walkways may encroach into required bufferyards provided the walkways comply with subsection (H)(3) below.

(3) General (public/customer) pedestrian access walkways shall be subject to compliance with all of the following requirements:

(a) Such walkways shall be designed to provide direct access to and from adjacent public and/or private streets, designated common property, public access easements and lot lines;

(b) Encroachment zone. Walkways are allowed to cross individual or abutting bufferyards within an area equal in width to the minimum bufferyard as measured perpendicular to the property line;

(c) Maximum width of each individual walkway shall not exceed six feet; and

(d) Within the minimum bufferyard area two or more walkways providing access to a lot along any single property line shall be separated by not less than 50 feet as measured from center of walkway to center of walkway.

(4) Aboveground public utility apparatus, structures or covers including transmission lines, poles and support wires, transformers, meters, pumps, regulators, catch basins, manholes, vents, switching or control boxes and the like may encroach into any bufferyard setback provided the use does not constitute a public utility building or use as defined under Article B of this chapter.

(I) Recreational use of bufferyards. A bufferyard may be used for passive recreation; it may contain pedestrian, bike or equestrian trails, provided that:

(1) The total width of the bufferyard is increased in direct proportion to the width of any encroachment(s) except as further provided;

(2) Public dedicated greenway improvements shall be exempt from subsection (I)(1) above; and

(3) All other regulations of this article and Article P of this chapter are met. In no event, however, shall the following uses be permitted in bufferyards: playground equipment, playfields, stables, swimming pools and ball courts.

(J) Maintenance of on-site fences. To ensure that fencing will be maintained in a safe and aesthetic manner, the following maintenance requirements shall be observed for all fencing required by this article:

(1) No fence shall have more than 20% of its surface area covered with disfigured, cracked or missing materials or peeling paint for a period of more than 30 successive days.

(2) No fence shall be allowed to remain with bent or broken supports, or be allowed to stand more than 15 degrees away from perpendicular for a period of more than 30 successive days.

(Ord. No. 95-111, § 1, passed 11-9-1995; Ord. No. 96-78, § 1, passed 8-8-1996)

SEC. 9-4-133 DEVELOPMENT STANDARDS.

(A) Minimum area. The minimum area of any mobile home park development shall be three net acres.

(B) Site-lot minimum dimensions; stakes.

(1) Single-wide units (site).

(a) Net area: 4,000 square feet.

(2) Double-wide units (site).

(a) Net area: 5,000 square feet.

(b) Width: 50 feet.

(3) Subdivision; for sale of individual lots.

(a) Net area: 6,000 square feet.

(b) Width: 60 feet.

(4) Stakes. The limits of each mobile home site shall be clearly marked on the ground by permanent flush stakes. Location of sites on the ground shall be approximately the same as shown on the approved plans. Precise description of space limits is not required either on the plans or on the ground, except when a mobile home subdivision is proposed.

(C) Setbacks for mobile homes; principal structures.

(1) Public street right-of-way: 25 feet.

(2) Private street easement: Ten feet.

(3) Peripheral boundary: 20 feet.

(4) In mobile home subdivisions, the location of mobile homes and principal structures shall be in accordance with Article F.

(D) Setbacks for detached accessory structures.

(1) Public street right-of-way: 25 feet.

(2) Private street easement: Ten feet.

(3) Peripheral boundary: 20 feet.

(4) No accessory structure to any mobile home shall be located in any front yard.

(5) Accessory structures shall be located on the individual mobile home site as established and stated in accordance with subsection (B)(4) above. Zero stake limit line setbacks shall be allowed.

(6) In mobile home subdivisions, the location of accessory structures shall be in accordance with Article F.

(E) Separation between, mobile homes; stands; other structures.

(1) Mobile homes: 20 feet.

(2) Mobile home stands: 20 feet.

(3) Other structures: Ten feet.

(4) Attached structures such as awnings, storage cabinets, carports, and porches which have a floor area exceeding 25 square feet and are roofed shall for all purposes of the separation requirements be considered to be part of the mobile home.

(F) Mobile home stand requirements.

(1) Each mobile home shall be located on a permanently established stand within the limits of the staked mobile home site or lot.

(2) The mobile home stand and lot shall be graded to provide adequate storm drainage away from the mobile home.

(3) Single-wide stands shall consist of a rectangular plot of ground which at minimum measures 14 feet by 70 feet.

(4) Double-wide stands shall consist of a rectangular plot of ground which at minimum measures 28 feet by 70 feet.

(5) The location of each mobile home stand shall be such that placement and removal of individual units can be achieved without disturbance to other mobile homes, sites, patios, walkways or accessory structures.

(G) Patio requirements. For each mobile home, there shall be constructed a permanent patio, located adjacent to or attached to the mobile home stand and the patio shall be of the following characteristics:

(1) Each patio shall be at least 64 square feet in area.

(2) Each patio shall have sufficient gradient to facilitate adequate drainage away from the mobile home stand.

(3) Each patio shall have a compacted base, and shall be concrete or masonry construction.

(H) Walkway requirements. For each mobile home, there shall be constructed a permanent walkway which connects the parking area, patio and mobile home stand and the walkway shall be of the following characteristics:

(1) The width of the walkway shall be a minimum of three feet; and

(2) The walkway shall have a compacted base, and shall be concrete or masonry construction.

(I) Parking requirement.

(1) Number of spaces: two per mobile home.

(2) Required spaces may be within common parking lots containing three or more spaces which are designed and improved in accordance with Article O.

(3) All required spaces for each mobile home shall be located within 150 feet of the mobile home stand it is intended to serve.

(4) No parking space shall be located closer than five feet to any mobile home stand.

(J) Recreation area requirement (private).

(1) Common recreation area shall be provided at a ratio of 100 square feet per dwelling unit.

(2) The recreation requirement for a mobile home park development shall not apply if the project is within one-half-mile radius of a public recreation facility.

(3) No portion of an active recreation area shall be located within the peripheral boundary setback or less than 20 feet from any mobile home stand.

(4) Passive recreation areas may be located in the peripheral boundary setback in accordance with the bufferyard regulations.

(5) Swimming pools shall be fenced in accordance with Article F.

(K) Access to public streets. **Effective September 1, 2023, new Mobile home stands parks must be located on public streets. Mobile home stands** may be located with direct access to terminal public streets which exclusively serve the mobile home park or on private streets located within the mobile home park. No mobile home stand shall have direct access to public streets which do not exclusively serve the mobile home park.

(L) Addresses. A permanent street address shall be assigned to each mobile home stand in accordance with Title 6, Chapter 2 of the Greenville City Code.

(M) Bufferyard setbacks and vegetation requirements.

(1) Bufferyard setbacks shall be in accordance with Article G of this chapter.

(2) Vegetation requirements shall be in accordance with Article P of this chapter.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-117, § 1, passed 11-9-1995)

(N) Perimeter skirting. Mobile homes shall, upon installation, have either a permanent, continuous masonry foundation; or a continuous and opaque skirt consisting of vinyl, fiberglass or other similar solid nonmetal material. The skirt for a mobile home shall be attached to weather resistant material when required for support.

(Ord. No. 00-19, § 10, passed 2-10-2000)

SEC. 9-4-150 PRIVATE STREETS.

No new private streets **for single-family and two-family attached dwellings located on individual lots or on a common lot** are allowed after August 14, 2014. Single-family and two-family dwellings shall only be located on public streets.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 14-049, § 4, passed 8-14-2014; Ord. No. 15-058, § 2, passed 10-8-2015)

SEC. 9-4-162 AREA; REGULATION OF USES; DENSITY; OPEN SPACE; RECREATION; PARKING; LANDSCAPE; DENSITY BONUS REQUIREMENTS.

(A) Minimum area requirements.

(1) A master plan community shall contain not less than 50 gross acres. Addition to any existing master plan community may be allowed provided such addition meets or exceeds all other applicable requirements. The master plan community shall be included under one land use plan application and each addition to or amendment of such development shall be consider as a revision to the previously approved special use permit. In the case of an addition to or amendment of a previously approved special use permit, the master plan community property owners' association may execute any and all special use permit amendment applications on behalf of the property owners of individual lots subject to such association located within the original master plan community section. No master plan community shall be reduced in area unless the special use permit for such development is amended in accordance with this article provided however, the dedication of public rights-of-way shall not be subject to this requirement.

For purposes of this chapter, the term "gross acres" shall be construed as the total acreage of the master plan community including all lands located within the boundary of the development and any future public street rights-of-way, private street easements, common open spaces, public dedicated and accepted land or land deeded to the city or county per a density bonus option, land acquired by the city for any public purpose, and future building sites located within the boundary of the master plan community. With the exception of future street rights-of-way acquired pursuant to the ~~Greenville Urban Area Thoroughfare Plan Highway Map of the Comprehensive Transportation Plan~~, and/or on-site public street improvements required and

related to the master plan community, existing street rights-of-way that border the peripheral master plan community boundary at the time of original land use plan submission shall not be included in the gross acre calculation.

(2) Master plan communities comprising less than 75 gross acres and/or less than 250 dwelling units shall contain residential uses only as set forth in subsection (B)(5) of this section.

(3) Except as provided under subsection (C)(3) below, master plan communities comprising 75 gross acres or more and 250 or more dwelling units may contain all of the uses permitted by subsections (B)(5), (B)(6), (B)(7), and (B)(8) as appropriate of this section provided that all designated nonresidential area(s) shall meet all of the following design requirements:

(a) Shall be designed and located with the primary intention of serving the immediate needs and convenience of the residents of the master plan community.

(b) Shall be located on thoroughfare streets included on the ~~Greenville Urban Area Thoroughfare Plan~~ **Highway Map of the Comprehensive Transportation Plan** and/or on “minor streets” as defined in section 9-4-168.

(c) Shall not be located within 100 feet of the peripheral boundary of the master plan community. If any portion of such nonresidential area is located within 300 feet of any single-family residential property zoned RA-20, R15S, R9S, R6S, or MRS and located outside the peripheral boundary of the master plan community, the nonresidential area and all nonresidential and residential use therein shall be screened by a bufferyard “E” or equivalent screen per Article P of this chapter. The purpose of the bufferyard “E” or equivalent screen shall be to provide a complete visual barrier between said single-family residential zoning district and the nonresidential area at the time of development of the nonresidential area. Screening required pursuant to this subsection may be phased to coincide with development of the nonresidential area provided compliance with the purpose of this subsection. The Board of Adjustment shall approve by condition the location and phasing of the required screen at the time of special use permit approval. Notwithstanding the foregoing, in agricultural master plan communities this provision shall not apply to farms.

(d) Shall not be developed for any purpose other than as specified under subsection (F) below until (i) a minimum of 50% of the residential lots and/or residential tracts located within the residential designated area(s) have been final platted and (ii) not less than 20% of the total number of dwelling units approved for said lots and/or tracts have been constructed and have been issued temporary and/or final occupancy permits. For purposes of this section units or beds in a congregate care facility shall not be included in or count toward the total number of dwelling units.

(e) Plans for nonresidential development and any associated residential uses located on any designated nonresidential area may be submitted and approved following special use permit approval of the land use plan, however no building or other permit shall be issued for any nonresidential area use, including residential use, until the minimum number of dwelling units have been constructed and permitted for occupancy in designated residential areas per subsection (d) above.

(f) Streets, greenways, sidewalk and bike paths, drainage and utility improvements, public recreation areas and improvements, and public service delivery improvements, buildings or structures shall be permitted within any nonresidential area at any time following special use permit approval of the land use plan, and compliance with applicable subdivision regulations or other required permits for such improvements.

(g) Residential uses located within a nonresidential area shall be subject to the requirements, conditions and restrictions applicable to nonresidential uses.

(B) Regulation of uses. Subject to subsection (a) of this section, a master plan community may contain the permitted uses as listed in subsections (5) and (6) below in accordance with the following:

(1) Such uses shall be subject only to the development standards included in this article unless otherwise noted.

(2) The listed uses contained in subsections (5) and (6) below are permitted uses within a master plan community, provided compliance with all provisions in this article, and no further special use permit is required for such uses following approval of the land use plan special use permit for the planned unit development within which said uses are proposed to be located.

(3) Residential uses shall be permitted in any area designated as either residential and/or nonresidential area if such combined use is indicated upon the approved land use plan, however nonresidential uses shall only be permitted within designated nonresidential areas. Where such combined use is proposed, the number and type of dwelling unit shall be indicated on the land use plan at the time of special use permit application. The location of all farms in an agricultural master plan community must also be shown at the time of special use permit application.

(4) All definitions shall be per Article B of this chapter unless otherwise defined in this article.

(5) Permitted residential uses:

- (a) Single-family dwelling;
- (b) Two-family attached dwelling (duplex);
- (c) Multi-family development (apartment, condominium and/or townhouse);
- (d) Family care home, subject to 9-4-103;
- (e) Accessory building or use;
- (f) Public recreation or park facility;
- (g) Private recreation facility;
- (h) Church or place of worship;
- (i) Golf course; regulation;
- (j) City of Greenville municipal government building or use subject to 9-4-103;

(k) Retirement center or home including accessory nursing care facilities (each separate dwelling unit and/or each five beds in a congregant care facility shall constitute one dwelling unit for residential development density purposes regardless of location);

(l) Room renting.

(6) Permitted nonresidential uses:

(a) School; elementary subject to 9-4-103;

(b) School; kindergarten or nursery subject to 9-4-103;

(c) School; junior and senior high subject to 9-4-103;

(d) Child day care facilities;

(e) Adult day care facilities;

(f) Barber or beauty shop;

(g) Office; professional and business not otherwise listed in Article D;

(h) Medical, dental, ophthalmology or similar clinic not otherwise listed in Article D;

(i) Library;

(j) Art gallery;

(k) Grocery; food or beverage, off-premise consumption;

(l) Convenience store (not including principal or accessory auto fuel sales);

(m) Pharmacy;

(n) Restaurant; conventional;

(o) Restaurant; outdoor activities;

(p) Bank, savings and loan or other savings or investment institutions;

(q) City of Greenville municipal government building or use subject to 9-4-103;

(r) Accessory building or use;

(s) Microbrewery.

(7) Permitted residential uses, in an agricultural master plan community only:

(a) Farming; agriculture, horticulture, forestry;

(b) Greenhouse or plant nursery; including accessory sales;

(c) Wayside market for farm products produced on site;

(d) Beekeeping; minor use.

(8) Permitted nonresidential uses, in agricultural master plan community only:

- (a) Commercial agricultural facility;
- (b) Farmer's market;
- (c) Wellness center, indoor and outdoor facilities;
- (d) Convention center; private;
- (e) Hotel, motel, bed and breakfast inn; limited stay lodging (not to exceed ten units/rooms).

(C) Maximum base density requirements.

(1) Residential base density shall not exceed four dwelling units per gross acre of the entire master plan community including both residential and nonresidential areas, except as further provided under the density bonus options contained in section 9-4-162(J). Residential density may be allocated to a designated nonresidential area per subsection (K) of this section provided such designation is noted on the approved land use plan and the dwelling unit density of the residential area is reduced proportionally.

(2) Except as further provided under subsection (3) below, nonresidential use designated area(s) shall not exceed 5% of the gross master plan community acreage regardless of the actual amount of developed land area devoted to any nonresidential use or activity. Residential development within a designated nonresidential area shall not increase the land area designated as nonresidential.

(3) Nonresidential use designated areas that are located entirely within a Water Supply Watershed (WS) Overlay District shall not exceed 20% of the gross master plan community acreage regardless of the actual amount of developed land area devoted to any nonresidential use or activity, provided compliance with all of the following:

- (a) The master plan community shall contain not less than 100 gross acres.
- (b) The total number of approved single-family, two-family attached (duplex) and/or multi-family dwelling units located within the master planned community shall equal or exceed 300 total dwelling units. For purposes of this requirement, units or beds in a congregate care facility shall not be included in or count toward the total number of dwelling units.
- (c) The nonresidential area and development therein shall be subject to the Water Supply Watershed (WS) Overlay District standards as set forth under section 9-4-197 of this chapter. This shall not apply to agricultural master plan communities.
- (d) If any portion of any nonresidential designated area is located outside the Water Supply Watershed (WS) Overlay District all nonresidential use designated area(s) shall not exceed 5% of the gross master plan community acreage regardless of the actual amount of developed land area devoted to any nonresidential use or activity.

(D) Open space requirements.

(1) A master plan community shall reserve not less than 25% of the gross acreage as common open space.

(2) Except as otherwise provided, such open space area shall not be used as a building site or be utilized for any public street right-of-way or private street easement, private driveway or parking area or other impervious improvement.

(3) A minimum of one-third of the required open space shall be contained in one continuous undivided part, except for the extension of streets. For purposes of this requirement, such open space areas shall not measure less than 30 feet in width at the narrowest point.

(4) Not more than 25% percent of the required open space shall lie within any floodway zone.

(5) If developed in sections, the open space requirements set forth herein shall be coordinated with the construction of dwelling units and other facilities to insure that each development section shall receive benefit of the total common open space. A final subdivision plat shall be recorded in the Pitt County Register of Deeds which clearly describes the open space(s) and conditions thereof, prior to the issuance of any building permit(s).

(6) Such open space area shall be legally and practically accessible to the residents of the development, or to the public if so dedicated.

(7) Such open space area shall be perpetually owned and maintained for the purposes of this article by a property owners' association or, if accepted by the city, dedicated or deeded to the public.

(8) Streets, private drives, off-street parking areas and structures or buildings shall not be utilized in calculating or counting towards the minimum common open space requirement; however, lands occupied by public and/or private recreational buildings or structures, bike paths and similar common facilities may be counted as required open space provided that such impervious surfaces constitute no more than 5% of the total required common open space.

(9) In an agricultural master plan community enclosed farm land that is made accessible through the provision of perimeter and connective trails, regardless of dimension, may be counted towards the 25% open space requirement.

(10) In the designation and approval of common open space, consideration shall be given to the suitability of location, shape, character and accessibility of such space. The location and arrangement of any common open space(s) shall be subject to Board of Adjustment approval.

(E) Recreation space requirement.

(1) A minimum of 25% of the required gross common open space in a master plan community shall be developed for active recreational purposes. For purposes of this section, "active recreation" shall include, but not be limited to, tennis courts, swimming pools, ball fields, fitness courses, and the like.

(2) The Board of Adjustment may rely on the advice of the Director of Recreation and Parks concerning the suitability of proposed "active recreation" facilities.

(F) Dedication of open space, park lands and greenways.

(1) If any portion of the area proposed for a master plan community lies within an area designated in the officially adopted greenway master plan as a greenway corridor, the area so designated shall be included as part of the area set aside to satisfy the open space requirements of this section. The area within such greenway corridor shall be dedicated and/or reserved to the public at the option of the city.

(2) Where land is dedicated to and accepted by the city for open space, park and recreation purposes and/or greenways, such lands may be included as part of the gross acreage, open space and/or recreation space requirement of this article.

(3) Approved master plan community shall not be subject to any recreation and/or open space requirement of the subdivision and/or zoning regulations not otherwise included in this chapter.

(G) Off-street parking requirement.

(1) Parking requirements shall be in accordance with Article O of this chapter.

(H) Bufferyard setbacks and vegetation requirements for site developments, parking lots and drives.

(1) Bufferyard setbacks shall be in accordance with Article G of this chapter.

(2) Vegetation requirements shall be in accordance with Article P of this chapter.

(I) Driveways.

(1) Driveways shall be in accordance with Title 6, Chapter 2, Streets and Sidewalks of the Greenville City Code.

(J) Residential density bonus provisions and standards. A residential density bonus rounded to the nearest whole number and not to exceed a total of 200% - (eight units per gross acre) - over the allowable base density as set forth in section 9-4-162(C) may be approved by the Board of Adjustment in accordance with the standards for allowing density bonuses listed below. The applicable requirements of section 9-4-167(C), preliminary plat-site plan requirements, shall be indicated on the land use plan in sufficient detail to enable the Board of Adjustment to evaluate such density bonus proposals. Regardless of the density bonus provision satisfied or approved, the total residential density of any master plan community shall not exceed 12 dwelling units per gross acre.

(1) Common open space. Increasing the common open space area by 20 or more percent above the required common open space provisions (i.e., to 45% or more) shall allow a bonus of 50% - (two total units per gross acre) - above the base density of a master plan community.

(2) Bike paths/greenway systems. The provision of a constructed system of bike paths/pedestrian greenways that form a logical, safe and convenient system of access to all dwelling units, interior project facilities or principal off-site pedestrian destinations shall qualify for a density bonus. Such facilities shall be appropriately located, designed and constructed with

existing topography, land form, and vegetation in accordance with the Greenway Master Plan requirements and other amenities associated with the master plan community.

(K) Combination of use. Combination of use shall only be permitted in areas designated as “nonresidential” on the approved land use plan. Residential and nonresidential uses may be approved to be located on the same lot and in the same structure provided such combined uses individually comply with all standards applicable to each uses. Where residential and nonresidential uses are located in the same structure the more restrictive requirements and regulations shall apply to all common structures.

(Ord. 09-99, § 7, passed 12-10-2009; Ord. No. 20-059, § 4, passed 10-19-2020; Ord. No. 21-032, § 1, passed 6-21-2021)

SEC. 9-4-167 SITE DESIGN CRITERIA; GENERAL.

(A) Site planning; external relationship. Site planning in the proposed development shall provide protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences of the development. Consideration will be given to the location of uses, type of uses, open space, recreation areas, street design and arrangement in the evaluation of the development and its relationship with the surrounding areas.

(B) Site planning; internal relationship.

(1) Service and emergency access. Access and circulation shall be adequately provided for firefighting apparatus and equipment, public and private service delivery vehicles, and garbage and refuse collection.

(2) Utilities. Proposed utilities shall be adequate to serve the proposed development and such utilities shall be extended to adjacent property if it is determined to be in the interest of the city.

(3) Pedestrian circulation. A pedestrian circulation system is encouraged in such development. Walkways for pedestrian use shall form a logical, safe and convenient system of access to all dwelling units, project facilities and principal off-site pedestrian destinations. Walkways to be used by substantial numbers of children as routes to schools, play areas or other destinations shall be so located and safeguarded as to minimize contact with normal automobile traffic. Street crossings shall be held to a minimum. Such walkways, where appropriately located, designed and constructed, may be combined with other easements and used by emergency or public service vehicles, but not be used by other automobile traffic. In addition, bike paths may be incorporated into the pedestrian circulation system and are to be encouraged in such developments.

(4) Open spaces. Common open space shall be proportionally distributed throughout the master plan community and shall be accessible to all the residents via a coordinated system of streets, sidewalks, improved greenways and pedestrian and bicycle paths.

(5) Natural areas. Natural vegetated areas and environmentally sensitive areas shall be preserved to the greatest extent possible. Such areas shall be incorporated into common open spaces and shall not be included as part of future building sites.

(6) Thoroughfares. Where an existing or proposed public thoroughfare included on the approved ~~Greenville Urban Area Thoroughfare Plan~~ **Highway Map of the Comprehensive Transportation Plan** is adjacent to or within the proposed master plan community, plans for the master plan community project will reflect said thoroughfares in a manner conducive to good transportation planning.

Existing and future thoroughfares shall be provided for in accordance with current policies for the protection of rights-of-way and construction of thoroughfares within the City of Greenville.

(Ord. No. 09-99, § 7, passed 12-10-2009)

SEC. 9-4-168 STREET DESIGN CRITERIA.

(A) For the purposes of a master plan community, three types of streets shall be utilized to provide internal access to the development. The three types of streets are defined as:

(1) Minor street. Distributors within the master plan community that provide linkage with major streets outside the master plan community; and

(2) Marginal access street. Those streets which connect with minor streets to provide access to individual buildings within the master plan community.

(B) The street design of all master plan communities shall be in conformance with Title 9, Chapter 5, Subdivisions of the Greenville City Code, the Manual of Standards, Designs and Details, and Horizons 2026: Greenville's Community Plan.

(C) Upon approval of the planning and zoning commission, interior roads **that service multi-family dwellings (with the exception of single-family and two-family attached dwellings) or non-residential uses** may be allowed to be constructed as private streets, subject to the requirements of Title 9, Chapter 5, Subdivisions, of the Greenville City Code. Where such private streets are allowed, a property owners' association shall perpetually maintain such private streets in suitable conditions and state of repair for the city to provide normal delivery of services, including but not limited to, garbage pickup, police and fire protection. If at any time such private streets are not maintained by the property owners' association and travel upon them becomes or will be hazardous or inaccessible to city service or emergency vehicles, the city may cause such repairs after a reasonable period of notification to the property owners' association. In order to remove safety hazards and ensure the safety and protection for the development, the city may assess the cost of such repairs to the property owners' association. The city shall have no obligation or responsibility for maintenance or repair of such private streets as a result of the normal delivery of services or otherwise by the city or others using such streets. No private street(s) shall be allowed unless a property owners' association is established for the purpose of providing for and perpetually maintaining such streets. All private streets shall be dedicated to the city as utility **and access** easements. Where a private street serves only one lot under separate

ownership the property owner of such lot shall assume all responsibilities, duties and liabilities of a property owners' association under this section.

(Ord. No. 09-99, § 7, passed 12-10-2009; Ord. No. 14-049, § 7, passed 8-14-2014; Ord. No. 20-059, § 10, passed 10-19-2020; Ord. No. 21-019, § 1, passed 4-12-2021)

SEC. 9-4-183 PRIVATE STREETS.

No new private streets **for single-family and two-family attached dwellings located on individual lots or on a common lot** are allowed after August 14, 2014.

(Ord. No. 14-049, § 8, passed 8-14-2014)

SEC. 9-4-201 PURPOSE AND INTENT; DEFINITION.

(A) The purpose of residential cluster development is to provide an alternative development option that will:

- (1) Promote more efficient use of land resources than is otherwise possible under conventional subdivision regulations;
- (2) Reduce the per unit site development costs of dwellings by concentrating residential units on a portion of the site without increasing the overall net density above that which would normally be allowed pursuant to Article F;
- (3) Preserve the natural character of the site;
- (4) Preserve farm land and scenic views;
- (5) Provide for desirable and usable open space, tree cover, and the preservation of environmentally sensitive areas; and
- (6) Provide variety in residential buildings and properties and provide design flexibility that can relate the location of units to unique site conditions.

(B) For purposes of this section, a “residential cluster development” is defined as:

- (1) A development design wherein conventional zoning standards are relaxed to permit modifications in lot area, lot width, lot frontage, lot coverage, **and** required yards ~~and public street access~~, and to save infrastructure development cost, environmental damage, energy use and land resources by concentrating dwellings in specific areas of the site without increasing the net density above that which would normally be allowed pursuant to Article F;
- (2) Such development shall contain detached single-family dwellings only; and
- (3) Such development shall provide a program for the provision, operation and maintenance of such areas, facilities and improvements as shall be required for the perpetual common use by the occupants of the development.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 2409, § 1, passed 1-9-1992)

SEC. 9-4-202 AREA; PERMITTED DISTRICTS, EXEMPTION; STREET ACCESS; OPEN SPACE(S); RELATIONSHIP TO GREENWAY PLAN; DENSITY; DIMENSIONAL STANDARDS.

(A) Residential cluster developments shall contain not less than ten net acres. For purposes of this section, “net acres” shall be the total area of all lots and common area(s) exclusive of public street rights-of-way or private street easements. Addition to any existing residential cluster development may be allowed provided the addition meets or exceeds all other applicable requirements.

(B) Subject to subsection (A) above, a residential cluster development may as an option be allowed within any RA-20, R-9S, R-9, R-6S, R-6, R-6A, MRS or MR Zoning District. The development shall be exempt from the conventional zoning standards relative to lot area, lot width, lot frontage, lot coverage, **and** required yards ~~and public street access~~ normally applicable to such districts, provided the development complies with the minimum standards set forth under this section.

(C) Dwelling units within a residential cluster development may **not** be constructed on lots fronting private streets.

(D) A residential cluster development shall provide open space(s) subject to all of the following requirements:

(1) Such open space shall be greater or equal in area to the total amount of area by which each lot was reduced below the minimum lot size requirement of the prevailing zoning district, or as provided under subsection (D)(2) below, whichever is greater;

(2) Residential cluster developments shall reserve not less than 15% of the gross acreage as common open space;

(3) The area shall not be used as a building site. For purposes of this section, picnic areas or shelters, ball fields, walking or jogging trails, boat ramps and docks or other similar recreational facilities may be allowed;

(4) The area shall not be devoted to any public street right-of-way or private street easement, private driveway or parking area;

(5) The area shall be left in its natural or undisturbed state if wooded at the time of development, except for the cutting of trails for walking or jogging or, if not wooded at the time of development, is improved for the uses listed under subsection (D)(3) above, or is properly vegetated and landscaped with the objectives of creating a wooded area or other area that is consistent with the objective set forth in subsection (D)(6) below;

(6) The area shall be capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation or for horticulture if not devoted to other allowable uses in this subsection;

(7) The area shall be legally and practically accessible to the residents of the development, or to the public if so dedicated;

(8) A minimum of one-half of the required open space shall be contained in one continuous undivided part;

(9) Not more than 25% of the required open space shall lie within any floodway zone;

(10) Not more than 25% of the required open space may be devoted to allowable improvements as set forth in subsection (D)(3) above;

(11) The area shall be perpetually owned and maintained for the purposes of this article by a homeowners' association or, at the option of the city, dedicated or deeded to the public;

(12) The location and arrangement of any open space(s) shall be subject to Planning and Zoning Commission approval; and

(13) The owner shall, pursuant to the subdivision regulations, cause a final subdivision plat to be recorded in the Pitt County Register of Deeds which clearly describes the open space(s) and conditions thereof, prior to the issuance of any building permit(s).

(E) If any portion of the area proposed for a residential cluster development lies within an area designated in the officially adopted Greenway Master Plan as a greenway corridor, the area so designated shall be included as part of the area set aside to satisfy the open space requirements of this section. The area within the greenway corridor shall be dedicated and/or reserved to the public at the option of the city.

(F) Maximum density requirements.

(1) Residential density shall not exceed that which would normally be permitted under single-family standards within the prevailing zoning district on a net area basis.

(2) Public street rights-of-way and private street easements shall not be included or count towards the total net area for purposes of calculating allowable density.

(3) Area dedicated or deeded to the city pursuant to subsection (E) above shall count towards net area for purposes of density calculation.

(G) Minimum dimensional standards.

(1) Lot area: Not less than 60% of the minimum lot area which would normally be required under the single-family standards of the prevailing zoning district.

(2) Lot width: No minimum width requirement at the street setback line (MBL); however, all lots shall contain a building site of like design and area to other lots within the cluster subdivision.

(3) Lot frontage: 40 feet, except on the radius of a cul-de-sac where the distance may be reduced to 20 feet.

(4) Public or private street setback: No principal or accessory structure shall be closer than 15 feet to a public street right-of-way or private street easement or as further provided herein.

(5) Side yard setback: Shall be subject to section 9-4-203 (zero lot line) or not less than 12 feet, provided however, that no structure shall be located on more than one side lot line. Dwellings which do not utilize the provisions of section 9-4-203 (zero lot line) and are not located adjacent to a lot line section subject to section 9-4-203 shall maintain a minimum side setback of not less than six feet.

(6) Rear yard setback: Shall be subject to section 9-4-203 (zero lot line) or not less than 12 feet.

(7) Building separations: No portion of any principal structure shall be located less than 12 feet from any other principal structure or less than ten feet from any accessory structure as measured to the closest point.

(8) Periphery boundary setback: Except as further provided no principal or accessory structure shall be located less than 25 feet from the peripheral boundaries of the residential cluster development.

(9) Transition area setback:

(a) Where a residential cluster development adjoins or borders an existing single-family zoning district or other predominantly single-family development sharing common frontage on the same or opposite side of a public or private street, the minimum right-of-way and/or easement setback requirement of the single-family zone or development shall be utilized for the entire opposite frontage and 300 feet from the common border.

(b) For purposes of this subsection, “other predominantly single-family development” shall be that area within 100 feet of the external boundary of the residential cluster development in which 50% or more of the conforming land uses are detached single-family residential.

(10) Maximum height: 35 feet.

(11) Detached accessory structure requirements:

(a) Shall not be located within any front yard setback;

(b) Shall not be located within ten feet of any other principal structure or within five feet of any other accessory structure;

(c) Shall not cover more than 20% of any side or rear yard; and

(d) The side or rear yard requirement for detached accessory structures shall be subject to the provisions of section 9-4-203 (zero lot line) or not less than five feet.

(12) Satellite dish antennae and swimming pools shall comply with the applicable provisions of Article F.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 2409, § 1, passed 1-9-1992; Ord. No. 2467, § 1, passed 6-8-1992; Ord. No. 94-59, § 1, passed 4-14-1994; Ord. No. 95-29, § 8, passed 3-9-1995; Ord. No. 95-78, § 1, passed 8-10-1995; Ord. No. 96-122, § 1, passed 12-2-1996; Ord. No. 97-85, §§ 1, 2, passed 8-14-1997)

SEC. 9-4-281 SIDEWALK REQUIREMENTS ALONG MAJOR THOROUGHFARES, MINOR THOROUGHFARES AND BOULEVARDS.

Construction of sidewalks shall be required along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new development of non-residential developments, mixed-use developments and multifamily residential developments in accordance with the provisions of this section. The sidewalk requirements in this section are in addition to sidewalk requirements set forth under Art. 5: Subdivisions, Sec. 9-5-123.

(A) Sidewalks shall be provided along both sides of major thoroughfares, minor thoroughfares and boulevards as designated on the adopted Highway Map from the Highway Element of the Comprehensive Transportation Plan, as amended, excluding: freeways, expressways, US-264 between NC-11 and NC-33, and Stantonsburg Dr. from B's Barbeque Rd. westward. The developer shall provide the sidewalk on the side of the street where the development is located in conjunction with the new development on existing lots.

(B) Construction of sidewalks required by this section shall be accomplished along the entire length of all property of the development abutting major thoroughfares, minor thoroughfares and boulevards.

(C) Sidewalks shall be constructed in accordance with the Manual of Standard Designs and Details. The specific design and location of all sidewalks shall be reviewed by the Director of **Public-Works Engineering**. The Director of **Public-Works Engineering** may expand the required width of sidewalks from the Manual of Standard Design and Details in certain locations of the city and in limited cases, reduce the required width of sidewalks to avoid obstructions while remaining in compliance with dimensional standards of the Americans with Disabilities Act.

(D) All required sidewalks shall be installed prior to any occupancy, including temporary occupancy, of new development.

(E) (1) If special conditions make sidewalk construction unnecessary ~~or undesirable~~ and such conditions have been verified by the Director of **Public-Works Engineering**, the requirement to construct sidewalks along major thoroughfares, minor thoroughfares and boulevards in conjunction with the construction of any new building on existing lots may be deferred. Such deferment shall be granted upon written application to and approval of the Director of **Public-Works Engineering** ~~based on circumstances the Director determines are currently undesirable for sidewalk installation.~~

(2) General standards the Director may use while considering deferment of sidewalk installation shall include, but not be limited to, pending changes to rights-of-way alignments, pending changes to roadway drainage facilities, unsafe contours or unprotected drainage facilities adjacent to the sidewalk route, or pending utility work or other construction scheduled in the area beyond the developer's control that could damage the sidewalk if installed. Special conditions which make the sidewalk construction unnecessary or undesirable shall not include personal circumstances of the developer or the lack of sidewalks on adjacent or nearby properties.

(3) If approved for a circumstance where the sidewalk construction is being delayed, the cost of the installation and construction of the deferred sidewalk, as determined by the ~~Public Works~~ Director **of Engineering**, shall be paid by the developer to the city and the city will construct and install the sidewalk when the circumstances for deferment no longer exist. If approved for a circumstance where the sidewalk construction will not occur, no payment for sidewalk construction will be required by the developer. Appeals of decisions made by the Director of ~~Public Works~~ **Engineering** may be made by the developer to the Board of Adjustment.

(Ord. No. 14-073, § 1, passed 11-13-2014)

CHAPTER 5: SUBDIVISIONS

Article C. Design Standards for Subdivision Plats

9-5-80 Relation to ~~Thoroughfare~~ **Comprehensive Transportation** Plan

SEC. 9-5-2 PURPOSE.

(A) Public health, safety, economy, good order, appearances, convenience and the general welfare require the harmonious, orderly and progressive development of land within the city and its extraterritorial planning jurisdiction. In furtherance of this intent, regulation of land subdivision by the city has the following purposes, among others:

- (1) To encourage economically sound and stable development in the city and its environs;
- (2) To ensure the timely provision of required streets, utilities and other facilities and services to new land developments;
- (3) To ensure adequate provision of safe, convenient vehicular and pedestrian traffic access and circulation in and through new land developments;
- (4) To ensure provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational and other public purposes or the provision of funds in lieu of dedication;
- (5) To ensure, in general, the wise and timely development of new areas in harmony with comprehensive plans as prepared and adopted by the city;
- (6) To ensure accurate public records of land ownership, title transfer, the effective conduct of public and private business and the protection of private property rights; and
- (7) To provide for and protect the option of the consumer to use alternative energy sources by such means as protecting solar access to promote site planning and design which demonstrates a concern for increased energy conservation in residential structures and increased use alternative energy systems to encourage the development of efficient street systems which are compatible with the aforementioned emphases on conservation and resource development and which facilitate development of alternative transportation systems; while not excluding other methods which can be demonstrated to facilitate energy efficient land use.

(B) These regulations are intended to provide for the harmonious development of the city and its environs, and in particular:

- (1) For coordinating streets within new subdivisions with other existing planned streets or official adopted **Highway Map of the Comprehensive Transportation Plan** ~~Thoroughfare Plan~~ street;
- (2) For appropriate shapes and sizes of blocks and lots;
- (3) For providing land for streets, school sites and recreational areas and providing easements for utilities other public facilities and services;

(4) For distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, prosperity or general welfare; and

(5) For appropriate development of energy standards that lead to energy conservation and use of broad alternative energy resources.

(Ord. No. 1941, § 1, passed 1-12-1989)

SEC. 9-5-5 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Approved streets. Public or private streets that have been platted pursuant to this chapter and of which construction has been completed and accepted or guaranteed.

Construction plans. Construction plans are engineering details and specifications for the provision of necessary and/or required facilities and improvements. Such facilities and improvements may include but not be limited to public streets, water, sanitary sewer and storm drainage systems.

Manual for the Design and Construction of Water and Waste Water System Extensions for Greenville Utilities Commission. The Manual for the Design and Construction of Water and Waste Water Systems Extensions for Greenville Utilities Commission is incorporated herein as a supplement to the subdivision regulations. Such supplement contains design considerations, submittal requirements, material specifications and project guidelines for water and sanitary sewer system extensions.

Manual of Standard Designs and Details. The Manual of Standard Designs and Details is incorporated herein as a supplement to the subdivision regulations. Such supplement contains engineering designs and details relative to plat layout; storm drainage design; sedimentation control; basins; pipes and manholes; ending walls and retaining walls; street standards; pavement design; ground cover; driveways; parking; stormwater detention and other uniform design standards.

Minor subdivision plats. A “minor subdivision plat” is classified in the following manner:

(1) Involving lots fronting on an existing and/or approved street(s). In interpretation of this section, the term “lots fronting” shall be construed to include condominium and townhouse developments which share common area;

(2) Not involving the dedication or extension of any public street;

(3) Not involving the extension of public sanitary sewer, storm sewer or water lines; and

(4) Not involving the creation of residual parcels or lots.

Planning and Zoning Commission. The body created by City Council in section 9-2-1 of the City Code, pursuant to G.S. 160D-301 and 160D-604, to act as a planning agency for the City Council on planning and zoning matters within the city’s planning and zoning jurisdiction.

Private streets. Streets that have been designated by easement and as such constitute public vehicular areas as provided and regulated by applicable law. Such streets shall be constructed in accordance with the standards specified in the Manual of Standard Designs and Details and shall be maintained by the property owner or pursuant to recorded agreements. No new private streets are allowed **for single-family and two-family attached dwellings located on individual lots or on a common lot** after August 14, 2014.

Public streets. Streets that have been accepted for permanent maintenance by either the State of North Carolina or the City of Greenville.

Streets. Those areas delineated by dedicated rights-of-way or common property easements designed and constructed as required by this chapter for the purpose of carrying vehicular traffic to and from abutting property.

Subdivision. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this chapter:

(1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the existing standards of the municipality as shown in this chapter. In interpretation of this section, the term “previously subdivided and recorded lots” shall mean approved and recorded pursuant to the subdivision regulations in effect at the time of their creation;

(2) The division of land into parcels greater than ten acres where no street right-of-way dedication is involved. In interpretation of this section, the phrase “where no street right-of-way dedication is involved” shall be construed as meaning that any such parcels shall be served by an approved public street;

(3) The public acquisition by purchase of strips of land for the widening or opening of streets; and

(4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality as shown in this chapter.

(5) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under G.S. Chapter 29.

Subdivision Review Board. The membership of the Board is as follows: the Director of Planning and Development Services, the Director of Engineering and Inspections and the General Manager of the Greenville Utilities Commission, or their respective designated representative. The Board has the authority to approve minor and final subdivision plats as well as soil erosion and sedimentation control plans.

Thoroughfares. Public streets designed and intended to carry intra-city and inter-city traffic. Such streets are designated as either major or minor “thoroughfares” as shown on the **Highway Map of the Comprehensive Transportation Plan** ~~city-Thoroughfare Plan~~ as amended.

(Ord. No. 1941, § 1, passed 1-12-1989; Ord. No. 2432, § 1, passed 3-12-1992; Ord. No. 2516, § 1, passed 9-14-1992; Ord. No. 06-75, § 1, passed 8-10-2006; Ord. No. 14-049, § 10, passed 8-14-2014; Ord. 19-045, § 1, passed 9-12-2019; Ord. No. 21-032, § 1, passed 6-21-2021)

SEC. 9-5-11 EFFECT OF FINAL PLAT APPROVAL ON STATUS OF DEDICATION; ACCEPTANCE.

(A) The approval of a plat by the Planning and Zoning Commission or the Subdivision Review Board shall not be deemed to constitute or effect an acceptance by the city or the public of the dedication of any public street, facility or ground shown upon the plat. Acceptance of such dedications shall be made only by resolution of the City Council, following approval of the final plat by the Subdivision Review Board.

(B) Dedication of any street right-of-way shall be deemed to constitute and include a general utility easement.

(C) Acceptance of physical improvements will be made by the City Engineer, ~~the Public Works Director~~, and the General Manager of the Greenville Utilities Commission once the required improvements have been installed and are found to be in accordance with approved plans and city and Greenville Utilities Commission standards.

(Ord. No. 1941, § 1, passed 1-12-1989; Ord. No. 1968, § 2, passed 3-9-1989)

SEC. 9-5-45 SAME; FORMAT; GENERAL INFORMATION; SITE INFORMATION.

All applications for preliminary plat approval shall be submitted in accordance with and contain the following information:

(A) Format.

(1) Scale of one inch equal to 200 feet or larger;

(2) Drawn in ink or pencil on Mylar film;

(3) Mylar film size shall be a minimum of 18 inches by 24 inches and a maximum of 30 inches by 42 inches;

(4) Boundary lines shall be distinctly and accurately represented, all bearings and distances shown, with an accuracy of closure of not less than one in 2,500 and in accordance with the Standards of Practice for Land Surveying in North Carolina;

(5) Elevation and benchmarks shall be referenced to National Geodetic Vertical Datum (NGVD);

(6) Prepared by a professional engineer;

(7) Multiple sheets shall be collated and stapled. Match lines shall be clearly indicated;

(8) (a) Fifteen blueline paper copies at the time of original submission for departmental review;

(b) Two blueline paper copies shall be submitted for each review department requesting revisions. Following the total number is to be specified by the Director of Planning and Development Services or designee;

(c) Fifteen blueline paper copies shall be submitted to the Planning and Zoning Commission following the initial review;

(d) Three Mylar film copies for disposition in accordance with section 9-5-48, upon request of the Director of Planning and Development Services or designee.

(9) List of all adjoining property owners within 100 feet, their current mailing addresses. Such list shall be obtained from the Pitt County tax records and shall display the signature of the person preparing the plat;

(10) Shall conform to the applicable provisions of the Manual of Standard Designs and Details. The following certificates shall be required:

(a) Standard title block for preliminary plats; and

(b) Standard approvals information block.

(11) A fee shall be paid to the city for each application for a preliminary plat and the fee shall be set out in the Manual of Fees for the City of Greenville; and

(12) Owner's statement. The owner or agent of the owner shall submit a signed statement requesting Planning and Zoning Commission consideration of the preliminary plat as submitted and acknowledging that such approval is subject to approval of a construction plan as provided herein. The statement shall be on the preliminary plat approval procedure, format, mapping and application requirement sheet as provided by the Planning and Development Services Department.

(B) General information.

(1) Subdivision name;

(2) The name(s) of the city, township, county and state in which the subdivision is located;

(3) Name, address and telephone number of land owner(s);

(4) Name, address and telephone number of the subdivider and/or developer;

(5) Name, address and telephone number of the engineer preparing the plat;

(6) North Carolina registration number and seal as listed per subsection (B)(5) above;

(7) Locational vicinity map, at a scale of one inch equal to 1,000 feet showing the subdivision in relation to major and minor roads or streets, natural features, existing city limit lines and other obvious references;

(8) Date of original survey, plat preparation and/or revision(s);

(9) Number of sheets; and

(10) Scale denoted both graphically and numerically.

(C) Site information.

(1) North arrow and delineation as to whether true, grid or magnetic, including date;

(2) Existing, platted and proposed streets, their names and numbers (if state marked routes) shown and designated as “public” indicating right-of-way and/or easement widths, pavement widths, centerline curve and corner radius data, including sight distance triangles and typical cross-sections. All streets indicated on the **Highway Map of the Comprehensive Transportation Plan** ~~city Thoroughfare Plan~~ shall indicate future right-of-way widths;

(3) Proposed and existing lot lines within the subdivision showing approximate dimensions. Plat references shall be indicated for existing lots;

(4) Location of all existing buildings with exterior dimensions including heights, number of stories, distance to existing and proposed lot lines, private drives, public rights-of-way and easements;

(5) Existing and proposed property lines, public streets, right-of-way and/or easement widths, pavement widths, easements, utility lines, hydrants, recreation areas or open spaces on adjoining property;

(6) Ownership of all contiguous property indicated and referenced by deed book/map book and page number;

(7) Existing zoning classification(s) boundaries of the tract to be subdivided and on adjoining property within 100 feet;

(8) Political subdivision(s) including city limit lines, township boundaries and county lines;

(9) Watercourses, railroads, bridges, culverts, storm drains, wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds, ditches or other natural or improved features which affect the site;

(10) Proposed pedestrian, riding, bicycle trails or easements, their location, width and purpose;

(11) Sites proposed to be dedicated or reserved for public or private purposes including location, intended use, size and expected future ownership and maintenance of such spaces;

(12) Recreation area(s) as required and pursuant to the City Code and Comprehensive Plan. If such subdivision is for residential purposes, indicate the location of all public parks or recreation areas within one-half-mile radius;

(13) Statement of proposed ownership and maintenance or other agreements when private recreation areas are established;

(14) Topography (existing and proposed) at a contour interval of one foot, based on mean sea level datum, with an accuracy of plus or minus 0.5 foot and referenced to the National Geodetic Vertical Datum (NGVD);

(15) Existing and proposed watercourses, their names, direction of flow, centerline elevations, cross-sections, and any other pertinent datum;

(16) Floodway zone and floodway fringe zone shown, indicating base flood elevations for all lots adjoining such zones;

(17) Lot numbers and block numbers in consistent and logical sequence;

(18) Water supply watershed district boundary;

(19) Fire hydrant locations and connections;

(20) Water main locations, connections and anticipated sizes;

(21) Sanitary sewer main locations, connections and anticipated sizes;

(22) Storm sewer main locations, connections, and anticipated sizes;

(23) Street and lot drainage correlated to the city drainage system, including break points and the direction of surface water flow on each lot, street and ditch;

(24) Easements, including but not limited to electric, water, sanitary sewer, storm sewer, drainage, gas or other service delivery easements including their location, width and purpose;

(25) Environmental Health Department approval attached if public water and sanitary sewer systems are not available;

(26) Distance to and location of public water and sanitary sewer systems if such facilities are not available;

(27) The following in tabular form:

(a) Lineal feet in streets;

(b) Number of lots created;

(c) Acreage in total tract; and

(d) Acreage in parks, recreation areas, common areas and the like.

(28) The name and location of any property within the proposed subdivision or within any contiguous property that is listed on the National Register of Historic Places, or that has been designated by ordinance as a local historic property and/or district;

(29) Environmental impact statement pursuant to G.S. Chapter 113A. The Planning and Zoning Commission may require the subdivider to submit an environmental impact statement with the preliminary plat if:

(a) The development exceeds two acres in area; and

(b) The Board deems it necessary due to the nature of the land to be subdivided or peculiarities in the proposed layout.

(30) Statements on the plat that:

(a) Construction plan approval from Greenville Utilities Commission and City of Greenville shall be obtained prior to construction of any street, water and/or sanitary sewer and storm drainage system;

(b) All required improvements shall conform to the city Manual of Standard Designs and Details and the Manual for the Design and Construction of Water and Waste Water System Extensions for Greenville Utilities Commission; and

(c) All lots shall equal or exceed the minimum development standards of the city Zoning Ordinance.

(31) Any other information considered by either the subdivider or the Planning and Zoning Commission to be pertinent to the review of the preliminary plat; and

(32) Written statement addressing the reasons for being unable to meet the minimum requirements as listed above under this section.

(Ord. No. 1941, § 1, passed 1-12-1989; Ord. No. 2379, §§ 1, 2, passed 10-10-1991; Ord. No. 2501, § 1, passed 8-13-1992; Ord. No. 97-80, § 1, passed 8-14-1997; Ord. No. 06-75, § 2, passed 8-10-2006; Ord. No. 14-049, 11, passed 8-14-2014; Ord. 19-045, § 1, passed 9-12-2019)

SEC. 9-5-80 RELATION TO ~~THOROUGHFARE~~ COMPREHENSIVE TRANSPORTATION PLAN.

Arrangement, character, extent, width, grade and location of all streets shall conform to the **Highway Map of the Comprehensive Transportation Plan** ~~Thoroughfare Plan~~ of the city and elements thereof officially adopted.

(Ord. No. 1941, § 1, passed 1-12-1989)

SEC. 9-5-81 STREET DESIGN STANDARDS.

The following design standards shall apply to all streets in proposed subdivisions:

(A) The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical and soil conditions, to public convenience and safety and in their appropriate relation to the proposed use of the land to be served by such streets.

(B) Where there exists a conflict between city and state street standards, the more restrictive shall apply.

(C) The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas.

(D) Where a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided; and the arrangement shall make provision for the logical and proper projection of such streets.

(E) Where a new subdivision adjoins unsubdivided lands that do not have direct and adequate access to an approved public street, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided to ensure the adjoining lands of direct and adequate access. Private streets shall not constitute direct and adequate access for purposes of this section.

(F) In cases where a subdivider is required to carry a new street to the boundary of the tract to be subdivided and the boundary line is a ditch, canal or other drainage facility, the subdivider shall dedicate the appropriate land to the boundary of the tract to be subdivided and construct or guarantee the required improvements to the boundary or to a further point as provided by private agreement.

(G) **Dead end streets in excess of 150 feet shall be provided with a turnaround that is compliant with Section D103 of Appendix D of the North Carolina State Building Code Fire Prevention Code, unless otherwise approved by the Public Works Director. Turn around shall be maintained by the Developer until such time as 80% of the lots in the subdivision have obtained a certificate of occupancy.**

~~(HG)~~ Reserve strips controlling access to public streets shall be prohibited except under conditions approved by the Planning and Zoning Commission.

~~(IH)~~ The street arrangement within new subdivisions shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it or affect the health, safety and welfare of property owners and residences in the surrounding area. Streets within or adjacent to subdivisions intended for residential purposes shall be so designed that their use by through traffic shall be discouraged except, however, where such streets are existing or proposed thoroughfares.

~~(JH)~~ Street right-of-way and/or easement and paving widths shall be based upon the volume of traffic generated by the area served by such street and the future traffic circulation pattern of the surrounding area and city as a whole. The traffic generation factors used to determine the required street section are contained in the Manual of Standard Designs and Details in conjunction with the adopted **Highway Map of the Comprehensive Transportation Plan Thoroughfare Plan** for the city.

~~(KJ)~~ Half-streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Planning and Zoning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted and improved within such tract.

~~(LK)~~ Names of new streets shall not duplicate existing or platted street names unless a new street is a continuation of or in alignment with the existing or platted street. Addresses shall be assigned in accordance with the address numbering system in effect in the city.

~~(ME)~~ The vacation of any street or part of a street dedicated for public use, if such vacation interferes with the uniformity of the existing street pattern or any future street plans prepared for the areas, shall not be permitted.

~~(NM)~~ Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivision.

~~(ON)~~ All buildings shall be located within proximity of an approved street in accordance with Title 9, Chapter 4, Article F and within an acceptable distance to a fire hydrant, which has been connected to a public water supply system, approved by the city and the Greenville Utilities Commission. The hydrant shall be installed within the right-of-way or easement of a street or as otherwise approved by the Chief of Fire and Rescue and Greenville Utilities Commission. Hydrant locations and requirements shall be in accordance with the Manual for the Design and Construction of Water and Waste Water System Extensions for Greenville Utilities Commission.

~~(PO)~~ Each lot created within a subdivision shall have direct access to an approved street in accordance with the Zoning Ordinance or as provided by subsection ~~(VU)~~ below.

~~(QP)~~ Street jogs with centerline offsets of less than 150 feet shall not be allowed.

~~(RQ)~~ Street intersections shall not include more than four street approaches.

~~(SR)~~ Streets shall be designed to intersect as nearly as possible at right angles, and no street shall intersect another at less than 60 degrees.

~~(TS)~~ Loop/connecting streets which begin and terminate without intersecting another street providing access to the general street system shall not exceed 2,000 feet as measured along the centerline of the street.

~~(UT)~~ Cul-de-sac/terminal streets shall only be utilized either when the extension of the proposed street is infeasible due to one or more of the following conditions listed under subsection ~~(UT)~~(1) below, or when the street meets all the conditions listed under subsection ~~(UT)~~(2) below.

(1) Such streets shall only be utilized when the extension of the proposed street to adjoining property or to its intersection with an existing or proposed street is infeasible due to one or more of the following conditions:

(a) Intervening environmental and/or geographic features including but not limited to significant drainage systems, ponds/lakes, severe topography and regulatory wetlands;

(b) Intervening existing and/or vested adjacent development or development plans including buildings, parking lots and drives, stormwater structures, approved preliminary platted lots or recorded final platted lots, and approved site plans or other vested condition that prohibits future extension;

(c) The shape and/or dimension of the tract proposed for subdivision, where a significant portion of the subdivision area would otherwise be unusable absent terminal extension; or

(d) Intervening or approved public and/or private streets where such intersection is either prohibited by regulation or found to create a hazardous condition in the opinion of the City

Engineer. Cul-de-sac/terminal streets allowed under this section may not create a public safety hazard.

(2) (a) Limited and reasonable use of cul-de-sac/terminal street(s) not meeting the conditions of subsection (~~UT~~)(1) above may be approved where the specific cul-de-sac/terminal street design, length, location and use both individually, and/or in combination with other cul-de-sac/terminal streets in any common subdivision or development, meets all of the following conditions:

1. Does not negatively impact vehicular and pedestrian traffic circulation inconsistent with the street design standards contained herein, the Manual of Standard Designs and Details incorporated herein by reference, and/or the goals and objectives of the Comprehensive Plan;
2. Does not unduly increase the public cost of or inhibit the provision of public services, including but not limited to garbage and waste collection and public transit;
3. Does not unduly impact the public cost of or inhibit the provision of public safety and life services, including but not limited to fire suppression, emergency rescue and police protection;
4. Does not unduly restrict or inhibit adequate access to adjoining lots and/or tracts within the subject subdivision and/or on adjoining properties; and
5. Does not otherwise create a public safety hazard.

(b) The Planning and Zoning Commission shall determine compliance under this section following review and recommendation of the Director of Planning and Development Services or his or her authorized representative. The Director of Planning and Development Services may seek and rely on the advice of the public service and public safety providers in the formulation of any recommendation concerning the design, length, location and use of such cul-de-sac/terminal street(s).

(3) A cul-de-sac/terminal street shall not exceed 1,000 feet in length as measured along the centerline of such street from the right-of-way as projected from the intersecting street to the furthestmost point. When a cul-de-sac/terminal street intersects only another cul-de-sac/terminal street, the regulatory length of all such streets shall be measured individually from the intersection street that is not a cul-de-sac/terminal street to the furthestmost point of all such streets.

(~~VU~~) No new private streets are allowed **for single-family and two-family attached dwellings located on individual lots or on a common lot** after August 14, 2014.

(~~WV~~) Curve radius, property line radius, tangent distances between reverse curves, right-of-way widths, easement widths, pavement widths, pavement design and storm drainage system design provisions are contained in the Manual of Standard Designs and Details and the adopted **Highway Map of the Comprehensive Transportation Plan Thoroughfare Plan** for the city.

(~~XW~~) Planned Unoffensive Industry (PIU) and Planned Industry (PI) Districts street standards and exemptions are as follows.

(1) PIU and PI Districts shall be exempt from the maximum “loop connecting” and “cul-de-sac terminal” street standards listed above under subsections (**TS**) and (**UT**) of this section.

(2) PIU or PI Districts shall comply with all other provisions of this section.

(Ord. No. 1941, § 1, passed 1-12-1989; Ord. No. 2098, § 1, passed 11-16-1989; Ord. No. 2603, § 1, passed 3-18-1993; Ord. No. 94-85, § 1, passed 6-9-1994; Ord. No. 06-13, § 1, passed 2-9-2006; Ord. No. 06-75, § 1, passed 8-10-2006; Ord. No. 14-049, § 12, passed 8-14-2014; Ord. 19-045, § 1, passed 9-12-2019)

SEC. 9-5-82 UTILITY EASEMENTS.

(A) Easements for utilities shall be provided where necessary along front, rear or side lot lines, but shall not be required to center on such lines. Those easements shall be sufficiently wide to provide for installation of the utilities and access for maintenance and operation.

(B) The minimum width of the easements shall be as follows:

(1) Water lines: Ten feet.

(2) Gas lines: Ten feet.

(3) Electrical lines: Ten feet.

(4) Storm sewer: ~~As necessary on determination of the City Engineer.~~ **In accordance with the Manual of Standard Designs and Details.**

(5) Sanitary sewer shall be in accordance with the following table:

	Depth of Cover	Minimum Easement Width (feet)
Force main:	All	10
Gravity sewers:	0–10	20
	10–15	30
	Greater than 15	40

(6) Multipurpose: See section 9-5-85, below.

(7) Hydrant: Five feet as measured on the horizontal in all directions from the center of the hydrant.

(Ord. No. 1941, § 1, passed 1-12-1989)

SEC. 9-5-120 STREET LIGHTS (PUBLIC).

Street lights shall be provided at such locations as approved by the city and shall be installed and maintained by the Greenville Utilities Commission in accordance with current policy.

Street lights shall be installed in conformance with the Lighting Standards for the City of Greenville.

(Ord. No. 1941, § 1, passed 1-12-1989)

SEC. 9-5-123 SIDEWALKS; WHERE TO BE INSTALLED.

Sidewalks shall be provided by the subdivider in accordance with the following:

(A) Sidewalks shall be provided in conjunction with public street extensions pursuant to section 9-5-81 of this chapter.

(B) The location of proposed sidewalks required pursuant to this section shall be in accordance with the Manual of Standard Designs and Details.

(C) Sidewalks shall be provided along both sides of all minor and major thoroughfare streets **and boulevards** as shown on the ~~official Thoroughfare Plan~~ **adopted Highway Map of the Comprehensive Transportation Plan as amended.**

(D) Sidewalks shall be provided along one side of all collector, standard residential and planned industrial streets.

~~—(E) Sidewalks shall be provided along one side of all minor residential streets which are in excess of 500 feet in length in the case of a cul-de-sac/terminal street or 1,000 feet in length in the case of a loop/connecting street.~~

~~(E)~~ The arrangement of sidewalks in new subdivisions shall make provision for the continuation of existing sidewalks in adjoining areas.

(Ord. No. 1941, § 1, passed 1-12-1989; Ord. No. 97-131, § 1, passed 12-11-1997)

SEC. 9-5-143 TYPE OF GUARANTEE.

The performance guarantee may be in the form of a ~~performance surety~~ **performance surety** bond **issued by a company authorized to do business in the state of North Carolina**, a certified check, a first deed of trust, an irrevocable letter of credit, or an escrow deposit. All performance guarantees shall not be accepted unless the City Attorney has made a review thereof and provided a written opinion that the interests of the city are fully protected.

(Ord. No. 1941, § 1, passed 1-12-1989)

CHAPTER 8: SOIL EROSION AND SEDIMENTATION CONTROL

Section

9-8-4 ~~Scope; e~~Exclusions

9-8-15 ~~Existing uncovered areas-~~(Reserved)

SEC. 9-8-3 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Accelerated erosion. Any increase over the rate of natural erosion as a result of land-disturbing activities.

Act. The North Carolina Sedimentation Pollution Control Act of 1973, being G.S. 113A-50 et seq., and all rules and orders adopted pursuant to it.

Active construction. Activities which contribute directly to the building of facilities including land-disturbing activities for roads, parking lots, footings and the like.

Adequate erosion and control measure, structure or device. One which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.

Affiliate. A person who directly, or indirectly through one or more intermediaries' control, is controlled by or is under common control of another person.

Being conducted. A land-disturbing activity has been initiated and permanent stabilization of the site has not been completed.

Borrow. Fill material which is required for on-site construction and is obtained from other locations.

Buffer zone. The strip of land adjacent to a lake or natural watercourse.

City. City of Greenville

Coastal counties. The following counties: Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Care, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Tyrrell and Washington.

Commission. ~~The City of Greenville Planning and Zoning Commission~~**The North Carolina Sedimentation Control Commission.**

Completion of construction or development. No further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

Denuded. The removal of ground cover from, on or above the soil surface.

Department. The North Carolina Department of ~~Environment, Health, and Natural Resources~~ **Environmental Quality**.

Director. The Director of the ~~Division of Land Resources of the Department of Environment, Health, and Natural Resources~~ **Division of Energy, Mineral, and Land Resources of the Department of Environmental Quality**.

Discharge point. That point at which runoff leaves a tract of land.

~~District. The Pitt County Soil and Water Conservation District created pursuant to G.S. Chapter 139 of the North Carolina General Statutes.~~

Drainage easement. A minimum strip of land reserved for conveyance of stormwater generally located along the rear or side lot lines but may cross lots at such points that will not pose a hazard to persons or property.

Energy dissipator. Any structure or a shaped channel section with mechanical armoring placed at the outlet ~~of~~ **of** pipes or conduits to receive and break down the energy from high velocity flow.

Erosion. The wearing away of the land surface by the action of the wind, water, gravity or any combination thereof.

Extraterritorial jurisdiction. That territory surrounding the corporate limits of the city over which the city exercises its planning and zoning authorities as established by action of the City Council on June 26, 1972 and subsequently amended.

Ground cover. Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

High quality water (HQW) zones. Areas in the Coastal Counties that are within 575 feet of high quality waters and for the remainder of the state areas that are within one mile and drain to HQWs.

High quality waters. Those classified as such in 15A NCAC ~~02B .0224 2B.0101(e)(5)~~, **General Procedures**, which is incorporated herein by reference to include further amendments **and additions pursuant to G.S. Chapter 150B, Article 2A**.

High Quality Water (HQW) Zones –means, for the Coastal Counties, areas within 575 feet of High Quality Waters; and for the remainder of the state, areas within one mile and draining to HQW’s.

Lake or natural watercourse. Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension and which could be damaged by accumulation of sediment.

Land-disturbing activity. Any use of the land by any person in residential, industrial, educational, institutional or commercial development, highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.

Land-disturbing permit. The approval document allowing land-disturbing activities to be initiated. A project may be developed in phases with separate permits for each phase.

Local government. Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns and cities, acting through a joint program pursuant to the provisions of the Act.

Natural erosion. Wearing away of the earth's surface by water, wind or other natural agents under natural environmental conditions undisturbed by mankind.

Parent. An affiliate that directly, or indirectly through one or more intermediaries, controls another person.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body or other legal entity.

Person conducting land-disturbing activity. Any person who may be held responsible for a violation unless expressly provided otherwise by this chapter, the Act, or any order adopted pursuant to this chapter or the Act.

Person responsible for the violation. As used in this chapter and G.S. 113A-64, means:

(1) The developer or other person who has or holds himself or herself out as having financial or operational control over the land-disturbing activity; or

(2) The landowner or person in possession or control of the land when he or she has directly or indirectly allowed the land-disturbing activity or has benefitted from it, or he or she has failed to comply with any provision of this chapter, the Act or any order adopted pursuant to this chapter or the Act as imposes a duty upon him or her.

Phase of grading. One of two types of grading, rough or fine.

Plan. Erosion and Sedimentation Control Plan.

Protective cover. Natural or artificial ground cover of grass, trees, shrubs or mulch sufficient to reduce erosion potential.

Receiving watercourse. A lake, natural watercourse, or other natural or man-made area into which stormwater runoff flows from a land-disturbing activity.

Sediment. Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity or ice from its site of origin.

Sedimentation. The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.

Siltation. Sediment resulting from accelerated erosion which is settleable or removable by properly designed, constricted and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited or is in suspension in water.

Special flood hazard area. The land located within the floodplain subject to a 1% or greater chance of flooding in any given year and subject to the conditions of Title 9, Chapter 6 of the City Code, Flood Damage Prevention.

Storm drainage facilities. The system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey stormwater through and from a given drainage area.

Stormwater runoff. The direct runoff of water resulting from precipitation in any form.

Ten-year storm. The surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in ten years, and of a duration which will produce the maximum peak rate of runoff, for the watershed of interest under average antecedent wetness conditions.

Tract. All contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.

Twenty-five-year storm. The surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff, from the watershed of interest under average antecedent wetness conditions.

Uncovered. The removal of ground cover from, on or above the soil surface.

Undertaken. The initiating of any activity or phase of activity which results or will result in a change in the ground cover or topography of a tract of land.

Velocity. The average **speed** ~~“velocity”~~ of flow through the cross-section of the main channel at the peak flow of the storm of interest. The cross-section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing “velocity” of flow.

Wastes. Surplus materials resulting from on-site construction and disposed of at other locations.

Working days. Days exclusive of Saturdays, ~~and~~ Sundays, **State holidays, and Federal holidays** during which weather conditions or soil conditions permit land- disturbing activity to be undertaken.

(Ord. No. 98-7, passed 1-8-1998; Ord. No. 99-119, § 1, passed 9-9-1999)

SEC. 9-8-4 ~~SCOPE;~~ EXCLUSIONS.

This chapter shall not apply to the following land-disturbing activities:

(A) Activities, including the breeding and grazing of livestock, undertaken on agricultural land for the production of plants and animals useful to mankind, including but not limited to:

- (1) Forages and sod crops, grains and feed crops, tobacco, cotton and peanuts;

- (2) Dairy animals and dairy products;
- (3) Poultry and poultry products;
- (4) Livestock, including beef cattle, **llamas**, sheep, swine, horses, ponies, mules and goats;
- (5) Bees and apiary products; ~~and~~
- (6) Fur-producing animals.
- (7) Mulch, ornamental plants, and other horticultural products. For purposes of this section, “mulch” means substances composed primarily of plant remains or mixtures of such substances.**

(B) Activities undertaken on forest land for the production and harvesting of timber and timber products and which are conducted in accordance with best management practices set out in Forest Practice Guidelines Related to Water Quality as adopted by the **North Carolina Department of Agriculture and Consumer Services**. If land-disturbing activity undertaken on forest land for the production and harvesting of timber and timber products is not conducted in accordance with Forest Practice Guidelines Related to Water Quality, the provisions of this chapter shall apply to such activity and any related land-disturbing activity on the tract~~;~~**and.**

(C) Activities for which a permit is required under the Mining Act of 1971, being G.S. Chapter 74, Article 7 of the General Statutes;

(D) Land-disturbing activity over which the state has exclusive regulatory jurisdiction as provided in G.S. 113A-56(a); and

(E) For the duration of an emergency, activities essential to protect human life.

(F) Activities undertaken to restore the wetland functions of converted wetlands to provide compensatory mitigation to offset impacts permitted under Section 404 of the Clean Water Act.

(G) Activities undertaken pursuant to Natural Resources Conservation Service standards to restore the wetlands functions of converted wetlands as defined in Title 7 Code of Federal Regulations § 12.2

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-5 GENERAL REQUIREMENTS.

(A) Plan and permit required. No person shall initiate any land-disturbing activity which uncovers more than one acre without having an erosion control plan and land-disturbing permit approved by the city. Additionally, no person shall initiate any land-disturbing activity greater than 5,000 square feet without having a land-disturbing permit approved by the city. Furthermore, no person shall initiate land-disturbing activity of any size within the special flood hazard area without first obtaining a land-disturbing permit and an approved sedimentation and erosion control plan meeting the requirements of this chapter and Chapter 6 entitled “Flood Damage Prevention.”

(Ord. No. 99-119, §§ 2-6, passed 9-9-1999)

(B) Protection of property. Persons conducting land-disturbing activity shall take all reasonable measures to protect all public and private property from damage caused by that activity.

(C) More restrictive rules shall apply. Whenever conflicts exist between federal, state or local laws, ordinances or rules, the more restrictive provision shall apply.

(D) All measures shall be designed and constructed in accordance with the NC Erosion and Sediment Control Planning and Design Manual, as amended.

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-6 BASIC CONTROL OBJECTIVES.

(A) An erosion and sedimentation control plan may be disapproved pursuant to section 9-8-17 of this chapter if the plan fails to address the following control objectives:

(1) Identify critical areas. On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention;

(2) Limit time of exposure. All land-disturbing activity is to be planned and conducted to limit exposure to the shortest feasible time **specified in G.S. 113A-57 or this Chapter**;

(3) Limit exposed areas. All land-disturbing activity is to be planned and conducted to minimize the size of the area to be exposed at any one time;

(4) Control surface water. Surface water runoff originating upgrade of exposed areas should be controlled to reduce erosion and sediment loss during the period of exposure;

(5) Control sedimentation. All land-disturbing activity is to be planned and conducted so as to prevent off-site sedimentation damage; and

(6) Manage stormwater runoff. ~~When the increase in the velocity of stormwater runoff resulting from a land-disturbing activity is sufficient to cause accelerated erosion of the receiving watercourse, plans are to include measures to control the velocity at the point of discharge so as to minimize accelerated erosion of the site and increased sedimentation of the stream.~~ **Plans shall be designed so that any increase in velocity of stormwater runoff resulting from a land-disturbing activity will not result in accelerated erosion of the receiving stormwater conveyance or at the point of discharge. Plans shall include measures to prevent accelerated erosion within the project boundary and at the point of discharge.**

(B) When deemed necessary by the approving authority, a preconstruction conference may be required **and noted on the approved plan.**

(Ord. No. 98-7, passed 1-8-1998; Ord. No. 00-155, §§ 1, 2, passed 12-14-2000)

SEC. 9-8-7 MANDATORY STANDARDS FOR LAND-DISTURBING ACTIVITY.

No land-disturbing activity subject to the control of this chapter shall be undertaken except in accordance with the following mandatory standards:

(A) Buffer zone.

(1) No land-disturbing activity during periods of construction or improvement to land shall be permitted in proximity to a lake or natural watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the 25% of the buffer zone nearest the land-disturbing activity, provided that this subsection shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over or under a lake or natural watercourse.

(2) Unless otherwise provided, the width of a buffer zone is measured from the edge of the water to the nearest edge of the disturbed area, with the 25% of the strip nearer the land-disturbing activity containing natural or artificial means of confining visible siltation.

(B) Graded slopes and fills. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within 21 calendar days of completion of any phase of grading, be planted or otherwise provided with ground cover, devices or structures sufficient to restrain erosion.

(Ord. No. 99-119, § 8, passed 9-9-1999; Ord. No. 11-018, § 1, passed 4-11-2011)

(C) **Fill Material. Materials being used as fill shall be consistent with those described in 15A NCAC 13B .0562 unless the site is permitted by the Department's Division of Waste Management to operate as a landfill. Not all materials described in Section .0562 may be suitable to meet geotechnical considerations of the fill activity and should be evaluated accordingly.**

~~(DE)~~ Ground cover. Whenever land-disturbing activity is undertaken on a tract in excess of 5,000 square feet, the person conducting the land-disturbing activity shall install such sedimentation and erosion control devices and practices as are sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction upon and development of the tract, and shall plant or otherwise provide a permanent ground cover sufficient to restrain erosion after completion of construction or development. Except as provided in section 9-8-8(B)(5), provisions for **a permanent** ground cover sufficient to restrain erosion must be accomplished within **21 90** calendar days following completion of **any phase of grading construction or development**.

(Ord. No. 99-119, § 10, passed 9-9-1999; Ord. No. 00-155, §§ 3, 4, passed 12-14-2000; Ord. No. 06-50, § 2, passed 6-8-2006)

~~(ED)~~ Prior plan approval. No person shall initiate any land-disturbing activity on a tract if more than one acre is to be uncovered unless, 30 or more days prior to initiating the activity, an erosion and sedimentation control plan for such activity is filed with and approved by the city.

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-8 DESIGN AND PERFORMANCE STANDARDS.

(A) Except as provided in subsection (B)(2) of this section, erosion and sedimentation control measures, structures and devices shall be so planned, designed and constructed as to provide protection from the calculated maximum peak rate of runoff from the ten-year storm. Runoff rates shall be calculated using the procedures in the USDA, **Soil Natural Resources Conservation Service's National Engineering Field Handbook Manual for Conservation Practices**, or other acceptable calculation procedures.

(B) In high quality water (HQW) zones the following design standards shall apply:

(1) Uncovered areas in HQW zones shall be limited at any time to a maximum total area within the boundaries of the tract of 20 acres. Only the portion of the land-disturbing activity within a HQW zone shall be governed by this section. Larger areas may be uncovered within the boundaries of the tract with the written approval of the Director.

(2) Erosion and sedimentation control measures, structures and devices within HQW zones shall be so planned, designed and constructed to provide protection from the runoff of the 25-year storm which produces the maximum peak rate of runoff as calculated according to procedures in the United States Department of Agriculture **Soil Natural Resources Conservation Service's National Engineering Field Handbook Manual for Conservation Practices**, or according to procedures adopted by any other agency of this state or the United States or any generally recognized organization or association.

(3) Sediment basins within HQW zones shall be designed and constructed **according to the following criteria:** ~~such that the basin will have a settling efficiency of at least 70% for the 40 micron (0.04 mm) size soil particle transported into the basin by the runoff of that two year storm which produces the maximum peak rate of runoff as calculated according to procedures in the United States Department of Agriculture Soil Conservation Service's National Engineering field Manual for Conservation Practices or according to procedures adopted by any other agency of this state or the United States or any generally recognized organization or association.~~

- (a) **use a surface withdrawal mechanism, except when the basin drainage area is less than 1.0 acre;**
- (b) **have a minimum of 1800 cubic feet of storage area per acre of disturbed area;**
- (c) **have a minimum surface area of 325 square feet per cubic feet per second (cfs) of the Twenty-five Year Storm (Q25) peak flow;**
- (d) **have a minimum dewatering time of 48 hours;**
- (e) **incorporate 3 baffles, unless the basin is less than 20 feet in length, in which case 2 baffles shall be sufficient.**

Upon a written request of the applicant, the City Engineer may allow alternative design and control measures in lieu of meeting the conditions required in subparagraphs (3)(b) through (3)(e) of this subsection if the applicant demonstrates that meeting all of those conditions will result in design or operational hardships and that the alternative measures will provide an equal or more effective level of erosion and sediment control on the site. Alternative measures may include quicker application of ground cover, use of sediment flocculants, and use of enhanced ground cover practices.

(4) Newly constructed open channels in HQW zones shall be designed and constructed with side slopes no steeper than two horizontal to one vertical (2:1) if a vegetative cover is used for stabilization unless soil conditions permit a steeper slope or where the slopes are stabilized by using mechanical devices, structural devices or other acceptable ditch liners. In any event, the angle for side slopes shall be sufficient to restrain accelerated erosion.

(5) Ground cover sufficient to restrain erosion must be provided for any portion of a land-disturbing activity in a HQW zone within ~~15 working days or 60~~ 90 calendar days following completion of construction or development, ~~whichever period is shorter.~~

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-9 STORMWATER OUTLET PROTECTION.

(A) (1) Persons shall conduct land-disturbing activity so that the post construction velocity of the ten-year storm runoff in the receiving watercourse to the discharge point does not exceed the greater of:

- (a) The velocity established by the table in subsection (D) of this section; or
- (b) The velocity of the ten-year storm runoff in the receiving watercourse prior to development.

(2) If conditions (1)(a) or (b) of this subsection (A) cannot be met, then the receiving watercourse to and including the discharge point shall be designed and constructed to withstand the expected velocity anywhere the velocity exceeds the “prior to development” velocity by 10%.

(B) Acceptable management measures. Measures applied alone or in combination to satisfy the intent of this section are acceptable if there are no objectionable secondary consequences. The Commission recognizes that the management of stormwater runoff to minimize or control downstream channel and bank erosion is a developing technology. Innovative techniques and ideas will be considered and may be used when shown to have the potential to produce successful results. Some alternatives are to:

- (1) Avoid increases in surface runoff volume and velocity by including measures to promote infiltration to compensate for increased runoff from areas rendered impervious;
- (2) Avoid increases in stormwater discharge velocities by using vegetated or roughened swales and waterways in lieu of closed drains and high velocity paved sections;

(3) Provide energy dissipators at outlets of storm drainage facilities to reduce flow velocities to the point of discharge (these may range from simple rip-rapped sections to complex structures); and

(4) Protect watercourses subject to accelerated erosion by improving cross-sections and/or providing erosion resistant lining.

(5) Upgrade or replace the receiving device structure or watercourse such that it will receive and conduct the flow to a point where it is no longer subject to degradation from the increased rate of flow or increased velocity.

(C) Exceptions. This rule shall not apply where it can be demonstrated that stormwater discharge velocities will not create an erosion problem in the receiving watercourse.

(D) Table. The following is a table for maximum permissible velocity for stormwater discharges **in feet per second (F.P.S.) and meters per second (M.P.S.):**

~~Maximum Permissible Velocities for:~~

<u>Material</u>	<u>F.P.S.</u>	<u>M.P.S.</u>
Fine sand (noncolloidal)	2.5	0.8
Sandy loam (noncolloidal)	2.5	0.8
Silt loam (noncolloidal)	3.0	0.9
Ordinary firm loam	3.5	1.1
Fine gravel	5.0	1.5
Stiff clay (very colloidal)	5.0	1.5
Graded, loam to cobbles (non colloidal)	5.0	1.5
Graded, silt to cobbles (colloidal)	5.5	1.7
Alluvial silts (noncolloidal)	3.5	1.1
Alluvial silts (colloidal)	5.0	1.5
Coarse gravel (noncolloidal)	6.0	1.8
Cobbles and shingles	5.5	1.7
Shales and hard pans	6.0	1.8

(Source: Adapted from recommendations by Special Committee on Irrigation Research, American Society of Civil Engineers, 1926, for channels with straight alignment. For sinuous

channels, multiply allowable velocity by 0.95 for slightly sinuous, by 0.9 for moderately sinuous channels, and by 0.8 for highly sinuous channels.)

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-10 BORROW AND WASTE AREAS.

(A) When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained and which are not regulated by the provisions of the Mining Act of 1971, and waste areas for surplus materials other than landfills regulated by the Department's Division of ~~Solid~~ Waste Management, shall be considered as part of the land-disturbing activity where the borrow material is being used or from which the waste material originated.

(B) When the person conducting the land-disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land-disturbing activity.

(Ord. No. 98-7, passed 1-8-1998)

Statutory reference:

State Mining Act of 1971, see G.S. 74-46 through 74-68

SEC. 9-8-15 ~~EXISTING UNCOVERED AREAS. (RESERVED).~~

~~—(A) All uncovered areas existing on December 11, 1985, which resulted from land-disturbing activity, exceed one acre, are subject to continued accelerated erosion, and are causing off-site damage from sedimentation shall be provided with a ground cover or other protective measures, structures or devices sufficient to restrain accelerated erosion and control off-site sedimentation.~~

~~—(B) The city will serve upon the landowner or other person in possession or control of the land a written notice of violation by registered or certified mail, return receipt requested or other means authorized under G.S. 1A-1, Rule 4. The notice will set forth the measures needed to comply and will state the time within which the measures must be completed. In determining the measures required and time allowed for compliance, the authority serving notice shall take into consideration the economic feasibility, technology, and quantity of work required, and shall set reasonable and attainable time limits for compliance.~~

~~(Ord. No. 06-50, § 4, passed 6-8-2006)~~

~~—(C) The city reserves the right to require preparation and approval of an erosion control plan in any instance wherein extensive control measures are required.~~

~~—(D) This rule shall not require ground cover on cleared land forming the future basin of a planned reservoir.~~

~~(Ord. No. 98-7, passed 1-8-1998)~~

SEC. 9-8-16 PERMITS.

(A) Required; exceptions. No person shall undertake any land-disturbing activity subject to this chapter without first obtaining a permit therefor from the city, office of the City Engineer, except that no permit shall be required for any land-disturbing activity as identified in section 9-8-4.

(Ord. No. 06-50, § 5, passed 6-8-2006)

(B) Fees. A **review** fee established in accordance with the Manual of Fees adopted by the City Council shall be submitted with each ~~application for a land-disturbing permit~~ **erosion control plan**.

(C) Prerequisite to issue of building permit. No building permit shall be issued for a structure until the Building Inspector has obtained evidence that a valid land-disturbing permit has been obtained.

(Ord. No. 98-7, passed 1-8-1998; Ord. No. 99-119, § 11-14, passed 9-9-1999)

SEC. 9-8-17 EROSION AND SEDIMENTATION CONTROL PLANS.

(A) An erosion control plan shall be prepared for all land-disturbing activities subject to this chapter whenever the proposed activity is to be undertaken on a tract comprising more than one acre, if more than one acre is to be uncovered. The plan shall be filed with the city, office of the City Engineer ~~and the Pitt County Soil and Water Conservation District~~ at least 30 days prior to the commencement of the proposed activity. **This does not restrict the initiation of land disturbing activities when the plan is approved and the permit is issued in less than 30 days from initial submission.**

~~(B) Persons conducting land-disturbing activity on a tract which covers one or more acres shall file three copies of the erosion control plan with the office of the City Engineer at least three days prior to beginning the activity and shall keep another copy of the approved plan on file at the job site.~~ After approving the plan, if the office of the City Engineer, either upon review of such plan or on inspection of the job site, determines that a significant risk of accelerated erosion or off-site sedimentation exists, the office of the City Engineer will require a revised plan. Pending the preparation of the revised plan, work shall cease or shall continue under conditions outlined by the appropriate authority.

(C) Erosion control plans ~~may~~ **shall** be disapproved unless accompanied by an authorized statement of financial responsibility and **documentation of property** ownership. This statement shall be signed by the person financially responsible for the land-disturbing activity or his or her attorney in fact. The statement shall include the mailing and street addresses of the principal place of business of the person financially responsible and of the owner of the land or their registered agents. If the person financially responsible is not a resident of North Carolina, a North Carolina agent must be designated in the statement for the purpose of receiving notice of compliance or noncompliance with the plan, the Act, this chapter or rules or orders adopted or

issued pursuant to this chapter. **If the applicant is not the owner of the land to be disturbed, the draft erosion and sedimentation control plan must include the owner's written consent for the applicant to submit a draft erosion and sedimentation control plan and to conduct the anticipated land-disturbing activity.**

~~(D) The Pitt County Soil and Water Conservation District shall review the plan and submit any comments or recommendations to the office of the City Engineer within 20 days after the Soil and Water Conservation District received the erosion control plan, or within any shorter period of time as may be agreed upon by the Soil and Water Conservation District and the office of the City Engineer. Failure of the Soil and Water Conservation District to submit its comments and recommendations within 20 days or within any agreed upon shorter period of time shall not delay final action on the plan.~~ **If the applicant is not the owner of the land to be disturbed and the anticipated land-disturbing activity involves the construction of utility lines for the provision of water, sewer, gas, telecommunications, or electrical service, the draft erosion and sedimentation control plan may be submitted without the written consent of the owner of the land, so long as the owner of the land has been provided prior notice of the project.**

(E) The office of the City Engineer will review each complete plan submitted to it and within 30 days of receipt thereof will notify the person submitting the plan that it has been approved, approved with modifications, ~~approved with performance reservations,~~ or disapproved. The office of the City Engineer shall condition approval of a draft erosion control plan upon the applicant's compliance with federal and state water quality laws, regulations and rules. Failure to approve, or disapprove, ~~approve with performance reservations,~~ or approve with modifications a complete erosion and sedimentation control plan within 30 days of receipt shall be deemed approval. **If the plan is disapproved, the City Engineer shall notify the applicant and, if required, the Director of the Division of Energy, Mineral, and Land Resources of the Department of Environmental Quality of such disapproval within ten days thereof. The City Engineer shall advise the applicant and the Director of the Division of Energy, Mineral, and Land Resources of the Department of Environmental Quality, if required, in writing as to the specific reasons that the plan was disapproved. Disapproval of a plan or a revised erosion control plan must specifically state in writing the reasons for the disapproval.** The office of City Engineer must approve or ~~deny~~ **disapprove** a revised plan within 15 days of receipt, or it is deemed to be approved. If following commencement of a land-disturbing activity pursuant to an approved plan, the office of City Engineer determines that the plan is inadequate to meet the requirements of this chapter, the office of City Engineer may require any revisions as are necessary to comply with this chapter. Failure to approve, approve with modifications or disapprove a revised erosion control plan within 15 days of receipt shall be deemed approval of the plan.

(Ord. No. 00-155, §§ 5-6, passed 12-14-2000)

(F) Any plan submitted for a land-disturbing activity for which an environmental document is required by the North Carolina Environmental Policy Act (G.S. 113A-1 et seq.) shall be deemed incomplete until a complete environmental document is available for review. The city shall promptly notify the person submitting the plan that the 30-day time limit for review of the plan pursuant to subsection (E) of this section shall not begin until a complete environmental document is available for review.

(G) The plan required by this section shall contain architectural ~~and~~ **or** engineering drawings, maps, assumptions, calculations and narrative statements as needed to adequately describe the proposed development of the tract and the measures planned to comply with the requirements of this chapter. Plan content may vary to meet the needs of specific site requirements. Detailed guidelines for plan preparation may be obtained from the office of the City Engineer, on request.

(H) An erosion control plan may be disapproved upon a finding that an applicant, or a parent, subsidiary or other affiliate of the applicant:

(1) Is conducting or has conducted land-disturbing activity without an approved plan, or has received notice of violation of a plan previously approved by the Commission or a local government pursuant to the Act and has not complied with the notice within the time specified in the notice;

(2) Has failed to pay a civil penalty assessed pursuant to the Act or a local ordinance adopted pursuant to the Act by the time the payment is due;

(3) Has been convicted of a misdemeanor pursuant to G.S. 113A-64(b) or any criminal provision of a local ordinance adopted pursuant to the Act;

(4) Has failed to substantially comply with state rules or local ordinances and regulations adopted pursuant to the Act. For purposes of this subsection (H) an applicant's record may be considered for only the two years prior to the application date; or

(5) If implementation would result in a violation of rules adopted by the Environmental Management Commission to protect riparian buffers along surface waters under G.S. 113A-61(b1).

In the event that an erosion and sedimentation control plan or a transfer of a plan is disapproved by the City pursuant to subsection (H) of this section, the City shall so notify the Director of the Division of Energy, Mineral, and Land Resources within 10 days of the disapproval. The City shall advise the applicant or the proposed transferee and the Director in writing as to the specific reasons that the plan was disapproved. Notwithstanding the provisions of Section 9-8-18(A), the applicant may appeal the City's disapproval of the plan directly to the Commission.

(Ord. No. 06-50, §§ 6-8, passed 6-8-2006)

(I) Applications for amendment of an erosion control plan in written and/or graphic form may be made at any time under the same conditions as the original application. Until such time as the amendment is approved by the office of City Engineer, the land-disturbing activity shall not proceed except in accordance with the erosion control plan as originally approved.

(J) Any person engaged in land-disturbing activity who fails to file a sedimentation and erosion control plan and obtain a land-disturbing permit in accordance with this chapter, or who conducts a land-disturbing activity except in accordance with provisions of an approved plan, shall be deemed in violation of this chapter.

(Ord. No. 99-119, § 15, passed 9-9-1999)

(K) An approved land-disturbing permit and/or erosion control plan shall be valid for a period of ~~two~~ **three** years from the date of approval.

(Ord. No. 99-119, § 16, passed 9-9-1999)

(L) A copy of the erosion control plan for any land-disturbing activity that involves the utilization of ditches for the purpose of dewatering or lowering the water table must be forwarded to the Director of the Division of Water **Resources Quality**.

(Ord. No. 00-155, § 7, passed 12-14-2000)

(M) No person may initiate a land-disturbing activity until notifying the office of the City Engineer of the date that the land-disturbing activity will begin.

(Ord. No. 00-155, § 7, passed 12-14-2000)

(N) A plan issued under this article shall be prominently displayed until all construction is complete, all permanent sedimentation and erosion control measures are installed and the site has been stabilized. A copy of the approved plan should be kept on file at the job site.

(Ord. No. 06-50, § 9, passed 6-8-2006)

(O) The City Engineer shall only approve a plan upon determining that it complies with all applicable state and local regulations for erosion and sedimentation control. Approval assumes the applicant's compliance with the federal and state water quality laws, regulations and rules. The City Engineer shall condition approval of plans upon the applicant's compliance with federal and state water quality laws, regulations and rules. The City Engineer may establish an expiration date, not to exceed three years, for plans approved under this chapter.

(P) The City Engineer may transfer an erosion and sedimentation control plan approved pursuant to this section without the consent of the plan holder to a successor-owner of the property on which the permitted activity is occurring or will occur as provided in this subsection.

(1) The City Engineer may transfer a plan if all of the following conditions are met:

(a) The successor-owner of the property submits to the local government a written request for the transfer of the plan and an authorized statement of financial responsibility and documentation of property ownership.

(b) The City Engineer finds all of the following:

1. The plan holder is one of the following:

i. A natural person who is deceased.

ii. A partnership, limited liability corporation, corporation, or any other business association that has been dissolved.

iii. A person who has been lawfully and finally divested of title to the property on which the permitted activity is occurring or will occur.

iv. A person who has sold the property on which the permitted activity is occurring or will occur.

2. The successor-owner holds title to the property on which the permitted activity is occurring or will occur.

3. The successor-owner is the sole claimant of the right to engage in the permitted activity.

4. There will be no substantial change in the permitted activity.

(2) The plan holder shall comply with all terms and conditions of the plan until such time as the plan is transferred.

(3) The successor-owner shall comply with all terms and conditions of the plan once the plan has been transferred.

(4) Notwithstanding changes to law made after the original issuance of the plan, the City Engineer may not impose new or different terms and conditions in the plan without the prior express consent of the successor-owner. Nothing in this subsection shall prevent the City Engineer from requiring a revised plan pursuant to G.S. 113A-54.1(b).

(Ord. No. 98-7, passed 1-8-1998; Ord. No. 06-50, § 9, passed 6-8-2006)

SEC. 9-8-18 APPEALS.

(A) The disapproval or modifications of any proposed plan by the office of City Engineer shall entitle the person submitting the plan to a public hearing, if the person submits written demand to the City Manager for a hearing within 15 days after receipt of written notice of disapproval or modification.

(B) Hearings held pursuant to this section shall be conducted by the ~~Planning and Zoning Commission~~ **Board of Adjustment** within 45 days after the date of the receipt of the written demand for a public hearing. ~~The date of the public hearing shall be advertised once a week for two successive calendar weeks in a newspaper having general circulation. The notice shall be published the first time not less than 15 days nor more than 25 days before the date fixed for the hearing. Appeals requests to the Board of Adjustment shall be made pursuant to Title 9, Article S of the city code. The City Engineer shall transmit to the Board of Adjustment all documents constituting the record on which the decision appealed from was taken.~~

(C) The applicant requesting a public hearing under this section will be charged for the ~~hearing in accordance with the City of Greenville's Manual of Fees-exact cost of the advertising charges plus \$5.~~

~~—(D)—The Planning and Zoning Commission will render its final decision on any erosion control plan upon which a hearing is requested within 45 days of conducting the hearings.~~

(DE) If the ~~Planning and Zoning Commission~~ **Board of Adjustment** upholds the disapproval or modification of a proposed soil erosion and sedimentation control plan following the hearing, the person submitting the plan shall then be entitled to appeal the local government's decision to the North Carolina Sedimentation Control Commission as provided in G.S. 113A-61(c) of the General Statutes of North Carolina and Title 15A, NCAC 4B.0118(~~bd~~).

(EF) In the event that an erosion control plan is disapproved pursuant to section 9-8-17 (H), ~~the city shall notify the Director of Division of Land Resources of such disapproval within ten days. The city shall advise the applicant and the Director in writing as to the specific reasons that the plan was disapproved. T~~the applicant may appeal the city's disapproval of the plan pursuant to section 9-8-17 (H) directly to the Commission.

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-19 INSPECTIONS AND INVESTIGATIONS.

(A) The City Engineer and other appropriate officials of the city will periodically inspect land-disturbing activities to ensure compliance with the Act, this chapter, or rules or orders adopted or issued pursuant to this chapter, and to determine whether the measures required in the plan are effective in controlling erosion and sediment resulting from land-disturbing activity. Notice of the right to inspect shall be included in the notification of plan approval.

(B) No person shall willfully resist, delay or obstruct an authorized representative, employee or agent of the city while that person is inspecting or attempting to inspect a land-disturbing activity under this section.

(C) If it is determined that a person engaged in land-disturbing activity has failed to comply with the Act, this chapter, or rules or orders adopted or issued pursuant to this chapter; a notice of violation shall be served upon that person. The notice may be served by any means authorized under G.S. 1A-1, Rule 4. The notice shall specify a date by which the person must comply with this chapter, or rules or orders adopted pursuant to this chapter, and inform the person of the actions that need to be taken to comply with this chapter, or rules, or orders adopted pursuant to this chapter. However, no time period for compliance need be given for failure to submit an erosion control plan for approval or for obstructing, hampering or interfering with an authorized representative while in the process of carrying out his or her official duties. Any person who fails to comply within the time specified is subject to the civil and criminal penalties provided in this chapter.

(D) The city shall have the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this chapter and, **who presents appropriate credentials** for this purpose, to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting the sites of any land-disturbing activity.

(E) The city shall also have the power to require written statements or the filing of reports under oath with respect to pertinent questions relating to land-disturbing activity.

(Ord. No. 98-7, passed 1-8-1998)

SEC. 9-8-20 PENALTIES.

(A) Any person who violates any of the provisions of this chapter, or rules or orders adopted or issued pursuant to this chapter, or who initiates or continues a land-disturbing activity for which a plan is required except in accordance with the terms, conditions and provisions of an approved plan, is subject to a civil penalty. The maximum civil penalty for a violation, other than a stop-work order issued under G.S. 113A-65.1, is \$5,000 per day. The maximum civil penalty for a violation of a stop-work order is \$5,000. **A civil penalty may be assessed from the date of the violation. Each day of a continuing violation shall constitute a separate violation. When the person has not been assessed any civil penalty under this subsection for any previous violation, and that person abated continuing environmental damage resulting from the violation within 180 days from the date of the notice of violation, the maximum cumulative total civil penalty assessed under this subsection for all violations associated with the land-disturbing activity for which the erosion and sedimentation control plan is required is twenty-five thousand dollars (\$25,000).** No penalty shall be assessed until the person alleged to be in violation has been notified of the violation as provided in section 9-8-19(C). A civil penalty may be assessed from the date of the violation. Refusal to accept the notice or failure to notify the City Engineer of a change of address shall not relieve the violator's obligation to comply with this chapter or to pay such penalty. ~~Each day of continuing violation shall constitute a separate violation.~~ A person may also be assessed a one-time civil penalty of up to \$5,000 for the day the violation is first detected.

(Ord. No. 00-155, §§ 8–10, passed 12-14-2000)

(B) The person responsible for the violation of this chapter shall be subject to a civil penalty in the amount of \$100 to \$5,000 per day maximum for the first offense, \$250 to \$5,000 per day maximum for the second offense during the life of the project, and \$5,000 per day maximum for the third and subsequent offenses for the life of the project. The offenses shall be considered on a site-by-site basis. The penalty shall be established by the City Engineer, depending on the existence of aggravating and/or mitigating circumstances surrounding the violation. Violations of this type may include but are not limited to the following:

- (1) Grading without a permit issued by the city;
- (2) Grading beyond the limits of an existing grading permit without approval of an amended grading permit;
- (3) Failure to properly install or maintain erosion control measures in accordance with the approved plan so as to prevent off-site sedimentation;
- (4) Failure to retain sediment from leaving a land-disturbing activity, in accordance with the approved plan or other terms, as required by this chapter;
- (5) Failure to restore off-site areas affected by sedimentation during the time limitation established in a notice of violation;
- (6) Any other violation of this chapter which resulted in off-site sedimentation and, in the discretion of the City Engineer, warrants an assessment of a civil penalty;

(7) Failure to provide an angle on graded slopes sufficient to retain vegetative cover or other adequate erosion control devices or structures or failure to plant or otherwise provide with ground cover, devices or structures sufficient to restrain erosion within ~~15-working~~ **21 calendar** days of completion of any phase of grading on slopes left exposed;

(8) Failure to provide a ground cover sufficient to prevent erosion within ~~30-working days or 120~~ **90** calendar days, following completion of construction or development, ~~whichever period is shorter;~~

(9) Failure to submit to the office of the City Engineer for approval an acceptable revised erosion and sedimentation control plan after being notified by the City Engineer of the need to do so;

(10) Failure to retain a buffer zone of sufficient width along a lake or natural watercourse to confine visible siltation within the 25% of the buffer zone nearest the land-disturbing activity;

(11) Failure to schedule and conduct a preconstruction meeting prior to any land-disturbing activity, as required on the approved plan; and/or

(12) Any other action that constituted a violation of this chapter.

(Ord. No. 00-155, § 11, passed 12-14-2000; Ord. No. 06-50, § 10, passed 6-8-2006)

(C) In determining the amount of the civil penalty, the City Engineer shall consider the following factors: the degree and extent of harm caused by the violation; ~~the risk to receiving watercourses;~~ the cost of rectifying the damage; whether the violator saved money by noncompliance; ~~whether the violator took reasonable measures to comply with the notice of violation;~~ whether the violation was committed willfully after being informed of the potential violation; and the prior record of the violator in complying or failing to comply with this chapter. The City Engineer is authorized to reduce the amount of the per diem penalty set out in subsection (B) above to take into account any relevant mitigating factors.

(Ord. No. 06-50, § 11, passed 6-8-2006)

(D) Notwithstanding any other provision of this chapter, no required time period need be given for compliance for failure to submit an erosion control plan and land-disturbing permit for greater than one acre before a land-disturbing activity occurs and the penalty for the commencement of the land-disturbing activity without submittal of such plan and permit shall be a minimum of \$500 and a maximum of \$5,000, if warranted, for the land-disturbing activity in question.

(Ord. No. 06-50, § 12, passed 6-8-2006)

(E) Any person who fails to protect adjacent properties from pollutants shall be subject to a civil action as provided in section 9-8-21. Civil penalties for pollutants leaving the construction site may be assessed based on those factors listed in subsection (C) of this section.

(Ord. No. 06-50, § 13, passed 6-8-2006)

(F) The City Engineer shall determine the amount of the civil penalty and shall notify the person who is assessed the civil penalty of the amount of the penalty and the reason for assessing

the penalty. The notice of assessment shall be served by any means authorized under G.S. 1A-1, Rule 4 and shall direct the violator to either pay the assessment, **request a remission of the amount of the assessment as specified in subsection (G)**, or contest the assessment as specified in subsection (~~HG~~). If a violator does not pay a civil penalty assessed by the City Engineer within ~~45~~ **30** days after it is due, **request a remission as provided in subsection (G)**, or does not request a hearing as provided in subsection (~~HG~~), the City Engineer shall request the City Attorney to institute a civil action to recover the amount of the assessment. The civil action may be brought in Pitt County Superior Court or in the Superior Court for the county where the violator's residence or principal place of business is located.

(G) A request for remission of a civil penalty imposed under G.S. 113A-64 may be filed with the Director of Engineering within 30 days of receipt of the notice of assessment. A remission request must be accompanied by a waiver of the right to a contested case hearing pursuant to Chapter 150B of the General Statutes and a stipulation of the facts on which the assessment was based. The following factors shall be considered in determining whether a civil penalty remission request will be approved:

- (1) Whether one or more of the civil penalty assessment factors in G.S. 113A-64(a)(3) were wrongly applied to the detriment of the petitioner.**
- (2) Whether the petitioner promptly abated continuing environmental damage resulting from the violation.**
- (3) Whether the violation was inadvertent or a result of an accident.**
- (4) Whether the petitioner had been assessed civil penalties for any previous violations.**
- (5) Whether payment of the civil penalty will prevent payment for necessary remedial actions or would otherwise create a significant financial hardship.**
- (6) The assessed property tax valuation of the petitioner's property upon which the violation occurred, excluding the value of any structures located on the property.**

(~~HG~~) A violator may contest the assessment of a civil penalty by submitting a written request for a review of the assessment by the **City Engineer** ~~Director of Public Works~~ to the ~~City Engineer~~ **Director of Engineering** within 15 days after receipt of the notice of assessment. Upon receipt of the written request, the City Engineer shall confer with the Director of ~~Public Works~~ **Engineering** concerning the civil penalty; and after the conference, the Director of ~~Public Works~~ **Engineering** shall notify the violator within ten days after receipt of the written request for a review whether the penalty has been upheld or modified. If the violator is not satisfied with the action of the Director of ~~Public Works~~ **Engineering**, the violator may further contest the assessment by submitting a written demand for a public hearing before the Board of Adjustment to the ~~City Engineer~~ **Director of Engineering** and the Planning and Development Services Director within ~~45~~ **30** days after receipt of the initial notice of assessment from the City Engineer. **Appeals requests to the Board of Adjustment shall be made pursuant to Title 9, Article S of the city code. A hearing on a civil penalty shall be conducted by the Board of Adjustment within 45 days after receipt of the written demand for the hearing. The Board of**

~~Adjustment shall make its decision to uphold or modify the civil penalty within 30 days after the date of the hearing.~~ An appeal from the decision of the Board of Adjustment shall be to the Superior Court of Pitt County.

(~~IH~~) A civil action **to recover the amount of the assessment** must be filed within three years of the date the assessment was due. An assessment that is not contested is due when the violator is served with a notice of assessment. An assessment that is contested is due at the conclusion of the administrative and judicial review of the assessment.

(~~J~~) Civil penalties collected pursuant to this chapter shall be credited to the Civil Penalty and Forfeiture Fund **in accordance with G.S. 115C-457.2. Penalties collected by the City may be diminished only by the actual costs of collection. The collection cost percentage to be used shall be established and approved by the North Carolina Office of State Budget and Management on an annual basis, based upon the computation of actual collection costs by the City for the prior fiscal year.**

(Ord. No. 06-50, § 14, passed 6-8-2006)

(~~K~~) Any person who knowingly or willfully violates any provisions of this chapter or who knowingly or willfully initiates or continues a land-disturbing activity for which a plan is required, except in accordance with the terms, conditions, and provisions of an approved plan, shall be guilty of a Class 2 misdemeanor and may be subject to a fine not to exceed \$5,000 **in accordance with G.S. 113A-64.**

(~~L~~) A violation of this chapter that is not knowing or not willful shall not constitute a misdemeanor or infraction punishable under North Carolina G.S. 14-4, but instead shall be subject to the civil penalties provided in this section.

(Ord. No. 98-7, passed 1-8-1998; Ord. No. 99-119, § 17, passed 9-9-1999; Ord. 19-045, § 1, passed 9-12-2019)

CHAPTER 9: STORMWATER MANAGEMENT AND CONTROL

Section

9-9-8 ~~Best management practices (BMPs)~~ **Stormwater Control Measures (SCMs)** and maintenance

9-9-12 ~~New subdivisions~~ **Drainage System Responsibility**

SEC. 9-9-3 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~Best management practices (BMPs)~~ **Stormwater Control Measures (SCMs)**. Structural and/or non-structural controls that temporarily store or treat stormwater runoff, which act to reduce flooding, remove pollutants, and provide other amenities.

Built-upon area (BUA). That portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g., roads, parking lots, paths), recreation facilities (e.g., tennis courts) and the like. (Note: wooden slatted decks and the water area of a swimming pool are considered pervious.)

City. The City of Greenville, North Carolina.

Detention facility (dry). A facility, constructed for the purpose of detaining stormwater runoff from a developed site to control the peak discharge rates, that is normally maintained as a dry basin.

Detention facility (wet). A facility, constructed for the purpose of detaining stormwater runoff from a developed site to control the peak discharge rates, that is normally maintained with a permanent pool of water.

Development approval. An administrative or quasi-judicial approval made pursuant to G.S. 160D-102 that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to G.S. 160D-102, including plat approvals, permits issued, development agreements entered into, and building permits issued.

Ditch. An open channel constructed to transfer stormwater from one area to another. This does not include any open channel that is classified as a perennial or intermittent stream **or a swale**.

Drainage easement. The land required for the installation of stormwater drainage facilities and/or along a natural stream or watercourse for preserving the channel and providing access for maintenance and operation.

Drainage facilities. All ditches, channels, conduits, retention-detention systems, tiles, swales, sewers, and other natural or artificial means of draining stormwater from land.

Drainage requirements.

- (1) Minimum drainage standards as established by this chapter;
- (2) Regulations promulgated by the ~~Public Works~~ **Engineering** Department of the city;
- (3) Obligations and requirements relating to drainage established under the Subdivision Control Ordinance of the city, as set forth in Title 9, Chapter 5;
- (4) Requirements stated under the Zoning Ordinance of the city as set forth in Title 9, Chapter 4, including floodway zoning requirements; and
- (5) Conditions relating to drainage attached to a grant of variance by the Board of Adjustment of the city.

Drainage (subsurface). A system of pipes, tile, conduit or tubing installed beneath the ground surface used to collect underground water from individual parcels, lots, building footings or pavements.

Drainage (surface). A system by which the stormwater runoff is conducted to an outlet. This would include the proper grading of parking lots, streets, driveways and yards so that stormwater runoff is removed without ponding and flows to a drainage swale, open ditch or a storm sewer.

Drainage (swale). A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field, diversion or other site feature.

Drainage system. Any combination of surface and/or subsurface drainage components fulfilling the drainage requirements of this chapter.

Easement. A grant by the property owner of the use of a strip of land by the public, a corporation, or persons, for specified purposes.

Engineer. The City Engineer of the City of Greenville, North Carolina.

Extraterritorial jurisdiction. The area beyond the city limits within which the planning, zoning and building regulations of the city apply in accordance with state law. The area is delineated on the official zoning map for the city.

Impervious surfaces. Those areas within developed land that prevent or significantly impede the infiltration of stormwater into the soil. Common “impervious surfaces” include but are not limited to roof tops, sidewalks, walkways, patio areas, roads, driveways, parking lots, storage areas, brick or concrete pavers, compacted gravel surfaces (roads, driveways, parking and storage areas), and other surfaces which prevent or significantly impede the natural infiltration of stormwater into the soil.

Illicit connection. Any unlawful connection that allows the discharge of non-stormwater to the stormwater conveyance system or waters of the state in violation of this chapter.

Illicit discharge. Any unlawful disposal, placement, emptying, dumping, spillage, leakage, pumping, pouring, emission or other discharge of any substance other than stormwater, unless associated with permitted activity as identified in section 9-9-16(A), into a stormwater

conveyance, the waters of the state, or upon the land in such proximity to the same, such that the substance is likely to reach a stormwater conveyance or the waters of the state.

Jurisdictional stream. A stream that has been determined to be either permanent or intermittent by North Carolina ~~Division of Environment and Natural Resources~~ **Department of Environmental Quality**. These features have flora and fauna that are characteristic of streams in undeveloped areas.

Land-disturbing activity. Any use of the land by any person in residential, industrial, educational, institutional or commercial development, highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.

Land preservation. The permanent dedication of development rights for conservation purposes to a third party on currently undeveloped property contained wholly within one parcel as registered with Pitt County or a portion of a developed parcel that is permanently dedication to a third party for conservation purposes.

Maintenance. Cleaning, spraying, removing obstructions from and making minor repairs to a drainage facility so that it will perform the function for which it was designed and constructed.

Manual of Standard Designs and Details (MSDD). The most current published version of the City's Manual of Standard Designs and Details approved by the City Engineer.

Municipal separate storm sewer system (MS4). A stormwater conveyance or unified stormwater conveyance system (including without limitation: roads with drainage systems, municipal streets, catch basins, stormwater detention facilities, curbs, gutters, ditches, natural or man-made channels, or storm drains), that:

- (1) Is located within the corporate limits of Greenville, North Carolina;
- (2) Is owned or operated by the state, county, the city or other public body; and
- (3) Discharges to waters of the state, excluding publicly owned treatment works, and lawful connections thereto, which in turn discharge into the waters of the state.

New development. The following:

- (1) Any activity including grubbing, stump removal and/or grading that disturbs greater than one acre of land to establish, expand or replace a single-family or duplex residential development or recreational facility. For individual single-family residential lots of record that are not part of a larger common plan of development or sale, the activity must also result in greater than 10% built-upon area.
- (2) Any activity including grubbing, stump removal and/or grading that disturbs greater than one-half an acre of land to establish, expand or replace a multi-family residential development or a commercial, industrial or institutional facility.
- (3) Projects meeting subsection (1) or (2) above that replace or expand existing structures or improvements and that do not result in a net increase in built-upon area shall not be required to meet the basinwide average non-urban loading levels.

(4) Projects meeting subsection (1) or (2) above that replace or expand existing structures or improvements and that result in a net increase in built-upon area shall achieve a 30% reduction in nitrogen loading and no increase in phosphorus loading relative to the previous development. Such projects may achieve these loads through onsite or offsite measures or some combination thereof.

(5) New development shall not include agriculture, mining, or forestry activities.

Non-jurisdictional stream. A stream that has been determined to be neither permanent nor intermittent by North Carolina ~~Division of Environment and Natural Resources~~ **Department of Environmental Quality**. These features do not have the flora and fauna that are characteristic of streams in undeveloped areas.

NPDES or National Pollutant Discharge Elimination System. A Federal Environmental Protection Agency program initiated to reduce and eliminate pollutants reaching water bodies of all types.

Open channel. A drainage channel, which may or may not have a continuous water flow. Intended to convey surface, subsurface and stormwater runoff.

Pollution. A man-made or man-induced alteration of the chemical, physical, biological, thermal, and/or radiological integrity of water.

Public Drainage. Any portion of the stormwater drainage system that conveys “public runoff” as defined in this section, excluding stormwater control measures and detention facilities not owned or operated by the city.

Public runoff. Stormwater runoff wholly or partially from publicly owned rights-of-way, owned or operated by the city or North Carolina Department of Transportation (NCDOT), and from city-owned property.

Qualified professional. An individual who both: has received a baccalaureate or postgraduate degree in the natural sciences or engineering; and is trained and experienced in stormwater treatment techniques and related fields as may be demonstrated by state registration, professional certification, or completion of coursework that enable the individual to make sound, professional judgments regarding stormwater control/treatment and drainage planning.

Redevelopment. Any rebuilding activity other than a rebuilding activity that:

- (1) Results in no net increase in built-upon area; and
- (2) Provides equal or greater stormwater control than the previous development.

Registered professional. An individual who is registered in the State of North Carolina as a professional engineer.

Riparian buffer. The 50-foot wide area directly adjacent to surface waters in the Tar-Pamlico and Neuse River Basins (intermittent streams, perennial streams, lakes, ponds and estuaries), excluding wetlands. For the purpose of this definition, a surface water shall be present if the feature is approximately shown on either the most recent version of the soil survey map by the Natural Resources Conservation Service of the United States Department of Agriculture or the

most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS).

Stormwater. The runoff from precipitation that travels over natural or developed surfaces to the nearest stream, other conduit, or impoundment and appears in lakes, rivers, ponds, or other bodies of water.

Stormwater and drainage systems. Natural and structural channels, swales, ditches, swamps, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, head walls, storm sewers, lakes, and other physical works, properties, and improvements which transfer, control, convey or otherwise influence the movement of stormwater runoff.

Stormwater management programs. Programs designed to protect water quality by controlling the level of pollutants in, and the quantity and flow of, stormwater.

Swale. A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to convey surface water from a field, diversion or other site feature.

(1) A swale for the sole purpose of conveyance shall have characteristics as identified in the MSDD.

(2) A treatment swale for the purpose of water quality treatment shall be classified as a Stormwater Control Measure and shall meet the minimum design criteria as established in 15A NCAC 2H .1061.

Vegetated conveyance. Has the same meaning as in 15A NCAC 02H .1002(52)

Waters of the state. Any stream, river, brook, swamp, lake, sound, tidal estuary, bay, creek, reservoir, waterway, or other body or accumulation of water, whether surface or underground, public or private, or natural or artificial, that is contained in, flows through, or borders upon any portion of this state, including any portion of the Atlantic Ocean over which the state has jurisdiction. Treatment systems, consisting of man-made bodies of water, which were not originally created in waters of the state and which are not the result of impoundment of waters of the state, are not “waters of the state.”

(Ord. No. 04-112, passed 9-9-2004; Ord. No. 11-006, § 2, passed 1-13-2011; Ord. No. 21-032, § 1, passed 6-21-2021)

SEC. 9-9-6 PROTECTION OF RIPARIAN AREAS.

(A) The Tar-Pamlico riparian buffer protection rule, 15A NCAC 2B .0259 requires that 50-foot riparian buffers be maintained on all sides of intermittent and perennial streams, ponds, lakes and estuarine waters in the basin. The buffer rule provides for certain “allowable” uses within the buffer with Division of Water **Quality Resources** approval, such as road and utility crossings.

(B) The city shall disapprove any new development activity proposed within the first 50 feet adjacent to a waterbody that is shown on either the USGS 7.5 minute topographic map or the

NRCS soil survey map unless the owner can show that the activity has been approved by Division of Water **Quality Resources**. Division of Water **Quality Resources** approval may consist of the following:

- (1) An on-site determination that surface waters are not present;
 - (2) An authorization certificate from Division of Water **Quality Resources** for an “allowable” use such as a road crossing or utility line, or for a use that is “allowable with mitigation” along with a Division-approved mitigation plan. A table delineating such uses is included in the buffer rule;
 - (3) An opinion from Division of Water **Quality Resources** that vested rights have been established for the proposed development activity; and/or
 - (4) A letter from Division of Water **Quality Resources** documenting that a variance has been approved for the proposed development activity.
- (C) After site development, it shall be the responsibility of the landowner or person in possession or control of the land to properly maintain all necessary permanent erosion and sediment control measures installed for the protection of the riparian buffers.

(Ord. No. 04-112, passed 9-9-2004)

SEC. 9-9-8 ~~BEST MANAGEMENT PRACTICES (BMPS)~~ STORMWATER CONTROL MEASURES (SCMS) AND MAINTENANCE.

- (A) ~~Best management practices~~ **Stormwater Control Measures** in any new development shall be the entire and sole responsibility of the landowner except those natural streams, channels, ditches, branches and drainage outfall lines for which the city has accepted the responsibility for continuous maintenance.
- (B) For residential (or commercial or industrial) development:
- (1) If the computed nitrogen export is greater than 6.0 (or 10.0) lbs/ac/yr, then the landowner must either use on-site **BMPs SCMs** or take part in an approved regional or jurisdiction-wide stormwater strategy or some combination of these to lower the nitrogen export to at least 6.0 (or 10.0) lbs/ac/yr. The owner may then use one of the following two options to reduce nitrogen from 6.0 (or 10.0) to 4.0 lbs/ac/yr.
 - (2) If the computed nitrogen export is greater than 4.0 lbs/ac/yr but less than 6.0 (or 10.0) lbs/ac/yr, then the owner may either:
 - (a) Install **BMPs SCMs** on-site or take part in an approved regional or jurisdiction-wide stormwater strategy or some combination of these to remove nitrogen down to 4.0 lbs/ac/yr; or
 - (b) Provide treatment of an off-site developed area that drains to the same stream to achieve the same nitrogen mass loading reduction that would have occurred on-site.

(3) The landowner must install **BMPs SCMs** that also achieve a phosphorus export of less than or equal to 0.4 lbs/ac/yr, but may do so through any combination of on-site and off-site measures.

(C) Each **BMP SCM** shall be constructed to meet the requirements of the city's Stormwater Management Program and shall have a maintenance plan.

(D) Each maintenance plan shall be on file in the office of the City Engineer. Maintenance plans must be on file prior to construction and shall contain the following information:

(1) Owner's name or names;

(2) Owner's mailing address;

(3) Deed book, page number or other recording information for the land containing the **BMP(s)-SCM(s)**;

(4) Any easements for maintenance, ingress, egress and regress to the **BMP(s) SCM(s)**;

(5) A description of the **BMP(s)-SCM(s)**;

(6) Maintenance recommended for the **BMP(s) SCM(s)** to achieve the maximum effect; and

(7) Notarized signature of the owner of the **BMP(s) SCM(s)** and statement that the owner understands the requirements of the rules and regulations for the **BMP(s)-SCM(s)**.

(E) Each **BMP SCM** shall be maintained as required in the maintenance plan as to allow the **BMP SCM** to achieve its maximum effect. Maintenance is to be performed as needed.

(F) Maintenance of the **BMP SCM** includes maintaining access for the stormwater to reach and leave the **BMP-SCM**, maintenance of the **BMP SCM** structure itself, and maintaining access to the **BMP SCM** for the purpose of inspections, maintenance and repairs.

(G) An annual maintenance and inspection report completed by a qualified professional shall be maintained by the owner for each **BMP SCM** in accordance with the operation and maintenance agreement submitted in the initial plan submittal. The annual report will describe the maintenance and repair activities of the subject year, including copies of inspection and repair logs, and note any needed modifications to the repair plan for the following year. Annual reports shall be kept on record for a minimum of five years and shall be made available to the city upon request.

(H) All **BMP(s) SCM(s)** shall be inspected annually by the city. If repairs or maintenance to the **BMP SCM** is required, the city will notify the property owner in writing that maintenance is required. The owner will have 90 days from the receipt of such written notice to bring the **BMP SCM** into proper working order.

(I) If any person, having been ordered to perform such maintenance, fails, neglects or refuses to perform the maintenance within 90 days from receipt of the order, the **Public Works Director of Engineering** shall, at his or her own discretion, have employees of the city or other designated persons go upon said premises and perform the necessary maintenance.

(J) The cost of repairs and work completed by the city shall be the responsibility of the owner. The city will submit a statement of charges to be reimbursed by the owner. The owner shall have 30 days to remit payment.

(Ord. No. 04-112, passed 9-9-2004)

SEC. 9-9-12 ~~NEW SUBDIVISIONS. DRAINAGE SYSTEM RESPONSIBILITY.~~

~~—Storm drainage systems in any new subdivision shall be the entire and sole responsibility of the developer except those natural streams, channels, ditches, branches and drainage outfall lines for which the city has accepted the responsibility for continuous maintenance. All new subdivisions shall have drainage systems installed by the developer in accordance with Title 9, Chapter 5 of this Code. Any drainage ditch in a new subdivision that will require a 48-inch diameter or smaller pipe must be piped. Larger ditches may be left open. The required pipe size shall be as determined by the engineer for the developer and approved by the City Engineering Division.~~

(A) Storm drainage systems shall be the entire and sole responsibility of the property owner except those natural streams, channels, ditches, branches and drainage outfall lines that carry public runoff for which the city has accepted the responsibility for continuous maintenance. All new subdivisions shall have drainage systems installed by the developer in accordance with Title 9, Chapter 5 of this Code.

(B) Any drainage ditch in a new development that conveys public runoff and will require a 48-inch diameter or smaller pipe must either be piped or designed and constructed to the standards as established in 15A NCAC 2H .1003(2)(c) for vegetated conveyances as part of a low-density development or 15A NCAC 2H .1061 for treatment swales. The required pipe size shall be as determined by the engineer for the developer and approved by the Stormwater Administrator.

(C) Vegetated conveyances subject to 15A NCAC 2H .1003(2) shall be the entire and sole responsibility of the property owner and shall have a maintenance plan and agreement on file in the office of the Stormwater Administrator per Section 9-9-8.

(Ord. No. 04-112, passed 9-9-2004; Ord. No. 11-006, § 3, passed 1-13-2011)

SEC. 9-9-13 DRAINAGE PROJECTS LOCATED OUTSIDE OF CITY-OWNED RIGHTS-OF-WAY.

(A) Drainage projects on ditches or non-jurisdictional streams; piping. The city will participate with property owners in the installation of storm drains crossing private property in other than new subdivisions within the city's corporate limits under the following conditions:

(1) The storm drain to be installed will carry stormwater discharged from an existing city or state street or streets dedicated for public street purposes, including alleys, and accepted for maintenance by the city or state. Storm drainage systems not meeting this requirement are the responsibility of the property owner(s) and the city will not participate in the installation of such storm drains.

(2) An application for the installation of storm drains must be signed by 100% of the owners of the affected property within the limits of the proposed project and submitted to the City Engineering ~~Division~~ **Department**.

(3) The property owners must dedicate a drainage easement of a width, length, and type as specified by the Director of ~~Public Works Engineering~~. The dedication of such easement will be at no cost to the city.

(4) The shortest distance in which the city will participate in the installation of storm drainage will be 300 linear feet; any shorter distances than 300 linear feet must be deemed feasible by the City Engineering ~~Division~~ **Department** before city participation.

(5) All pipe sizes, structural accessories, discharge points and other specifications shall be as determined by the City Engineering ~~Division~~ **Department**.

(6) The city will furnish all labor and equipment and the adjoining property owners will pay for all materials for construction. These materials shall be as determined necessary by the City Engineering ~~Division~~ **Department** and shall include headwalls, manholes, catch basins and all other structures normal to a complete storm drainage system. All monies for materials must be deposited by property owners before construction is started.

(7) All authorized work shall be performed by the city, its agents and/or contractors. The city will direct all necessary activities including but not limited to design, engineering, contracting, and construction.

(8) Nothing in this subsection (A) shall be construed, interpreted or applied in a manner to mean that the city will participate in any way in the construction of any box culvert or other structure to be built or constructed in place. The piping of streams shall be restricted in all instances to that drainage where pre-cast or preassembled pipe will be of sufficient capacity, as calculated by the City Engineering Department, for the piping and enclosing herein mentioned and contemplated.

(9) Cost for each property owner shall be determined by dividing the total cost of materials by the total footage of property owners adjoining the proposed pipe locations directly and multiplying the result by the footage of each individual owner to determine his share of the cost.

(10) All storm drainage construction on private property shall be done on a scheduled basis so as not to interfere with other city projects and then only as budgeted funds of the city are available.

(11) The city will not participate in the construction of any storm drainage systems which will require a pipe size larger than 48 inches due to the greatly increased cost of labor, equipment and engineering required due to the use of box culverts, paved channels and other types of solutions.

(B) Drainage projects on ditches or non-jurisdictional streams; erosion. The city will stabilize banks on ditches or non-jurisdictional streams crossing private property in other than new subdivisions within the city's corporate limits under the following conditions:

(1) The ditch or non-jurisdictional stream carries stormwater discharged from an existing city or state street or streets dedicated for public street purposes, including alleys, and accepted for maintenance by the city or state. Storm drainage systems not meeting this requirement are the responsibility of the property owner(s) and the city will not participate in such drainage projects.

(2) An application for bank stabilization must be signed by 100% of the owners of the affected property within the limits of the proposed project and submitted to the City Engineering ~~Division~~ **Department**.

(3) The property owners must dedicate a drainage easement of a width, length, and type as specified by the Director of ~~Public Works-Engineering~~. The dedication of such easement will be at no cost to the city.

(4) Materials and construction methods shall be as determined necessary by the City Engineering ~~Division~~ **Department**. All authorized work shall be performed by the city, its agents and/or contractors. The city will direct all necessary activities including but not limited to design, engineering, contracting, and construction.

(5) All drainage projects on private property shall be done on a scheduled basis so as not to interfere with other city projects and then only as budgeted funds of the city are available.

(C) Drainage projects on jurisdictional streams; piping. The city will not participate in the piping of jurisdictional streams.

(D) Drainage projects on jurisdictional streams; erosion. The city will stabilize or restore banks crossing private property in other than new subdivisions within the city's corporate limits under the following conditions:

(1) The jurisdictional stream carries stormwater discharged from an existing city or state street or streets dedicated for public street purposes, including alleys, and accepted for maintenance by the city or state. Storm drainage systems not meeting this requirement are the responsibility of the property owner(s) and the city will not participate in such drainage projects.

(2) An application for bank stabilization or stream restoration must be signed by 100% of the owners of the affected property within the limits of the proposed project.

(3) The property owners must dedicate a drainage easement of a width, length, and type as specified by the Director of ~~Public Works-Engineering~~. The dedication of such easement will be at no cost to the city.

(4) Materials and construction methods shall be as determined necessary by the City Engineering ~~Division~~ **Department**. All authorized work shall be performed by the city, its agents and/or contractors. The city will direct all necessary activities including but not limited to design, engineering, contracting, and construction.

(5) All drainage projects on private property shall be done on a scheduled basis so as not to interfere with other city projects and then only as budgeted funds of the city are available.

(E) Drainage assistance projects listed in subsections (A), (B) and (D) above may be funded with stormwater utility funds or other funds provided that all of the following eligibility criteria are met:

(1) The drainage system is not part of a water quality treatment facility or water quantity control device that was required to be constructed and maintained as part of an approved development.

(2) The drainage system is not located on property which is undergoing development or redevelopment unless the development/redevelopment project is funded in part by other city funds.

(3) The project shall be the most cost effective, reasonable and practical alternative to correct the existing problem, as determined by the Director of ~~Public Works~~ **Engineering**. Any excess costs above the determined most cost effective, reasonable and practical alternative shall be borne entirely by the property owner. Design criteria shall meet, but are not limited to, the following criteria:

(a) The proposed project shall meet current city stormwater design standards to the maximum extent practical;

(b) Existing ditches or non-jurisdictional streams shall not be piped unless engineering reasons require such work or significant cost savings would be realized; and

(c) Jurisdictional streams and their associated buffers shall be protected to the maximum extent practical.

(4) The application of the above factors and the determination as to eligibility for stormwater utility funding or other funding shall be made by the Director of ~~Public Works~~ **Engineering**. Property owners may appeal any decision by the Director of ~~Public Works~~ **Engineering** to the City Manager. If property owners are not satisfied with the decision of the City Manager, property owners may appeal any decision by the City Manager to City Council.

(F) Storm drainage crossing private property, which does not carry storm drainage from existing city or state system streets, dedicated for public street purposes and accepted for maintenance by the city or state, is the responsibility of the property owners and the city will not participate in the installation of storm drains therefore.

(G) No action or inaction of the city pursuant to the policy established by this section shall impose upon the city, its agents, officers or employees any responsibility of liability of any kind, past or future, relating to any person or property. The petitioners shall agree to covenant to and hold the city harmless from any death, personal injury or property damage resulting from the work. No such action by the city shall be considered as a taking or appropriation of any stream, drain or ditch as a part of the city's drainage system.

(H) The conditions set forth in this section shall be binding on the heirs, successors, assigns and grantees of the property owners.

(I) Nothing in this section shall be construed, interpreted or applied in such manner as to aid or assist in the subdivision or development of property in the city. The policy set out herein shall be applicable only to those properties for which no new subdivision or development is anticipated or planned.

(J) The intent of this section is not to transfer responsibility or liability to the city for drainage system components on property not owned by the city that carry stormwater. Rather, it is to establish criteria and priorities to be used when making available funds for work on drainage system components located outside of city-owned rights-of-way.

(K) City participation in work on drainage system components outside of the right-of-way is limited to the extent to which funds are available for such purpose and no entitlement to receive funds for such work arises from this section.

(Ord. No. 11-006, § 4, passed 1-13-2011)

SEC. 9-9-16 ILLICIT DISCHARGES AND CONNECTIONS.

(A) Illicit discharges.

(1) No person shall cause or allow the discharge, emission, disposal, pouring or pumping directly or indirectly to any stormwater conveyance, the waters of the state, or upon the land in such proximity to the same (such that the substance is likely to reach a stormwater conveyance or the waters of the state), of any fluid, solid, gas or other substance, other than stormwater; provided that non-stormwater discharges associated with the following activities are allowed and provided that they do not significantly impact water quality:

- (a) Filter backwash and draining associated with swimming pools;
- (b) Filter backwash and draining associated with raw water intake screening and filtering devices;
- (c) Condensate from residential or commercial air conditioning;
- (d) Residential vehicle washing;
- (e) Flushing and hydrostatic testing water associated with utility distribution systems;
- (f) Discharges associated with emergency removal and treatment activities, for hazardous materials, authorized by the federal, state or local government on-scene coordinator;
- (g) Uncontaminated ground water (including the collection or pumping of springs, wells, or rising ground water and ground water generated by well construction or other construction activities);
- (h) Collected infiltrated stormwater from foundation or footing drains;
- (i) Collected ground water and infiltrated stormwater from basement or crawl space pumps;
- (j) Irrigation water;
- (k) Street wash water;
- (l) Flows from fire fighting;

- (m) Discharges from the pumping or draining of natural watercourses or waterbodies;
- (n) Flushing and cleaning of stormwater conveyances with unmodified potable water;
- (o) Wash water from the cleaning of the exterior of buildings, including gutters, provided that the discharge does not pose an environmental or health threat; and
- (p) Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by Department of Environmental ~~Management~~ **Quality**, and provided that any such discharges to the Municipal Separate Storm Sewer System shall be authorized by the city.

(2) Prohibited substances include but are not limited to: oil, anti-freeze, chemicals, animal waste, paints, garbage and litter.

(B) Illicit connections.

(1) Connections to a stormwater conveyance or stormwater conveyance system that allow the discharge of non-stormwater, other than the exclusions described in subsection (A) above, are unlawful. Prohibited connections include but are not limited to: floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.

(2) Where such connections exist in violation of this section and the connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using the connection shall remove the connection within one year following application of this regulation; provided that this grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife or habitat.

(3) Where it is determined that the connection:

(a) May result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife or habitat; or

(b) Was made in violation of any applicable regulation or ordinance, the City Engineer or his or her designee shall designate the time within which the connection shall be removed. In setting the time limit for compliance, the city shall take into consideration:

1. The quantity and complexity of the work;
2. The consequences of delay;
3. The potential harm to the environment, to the public health, and to public and private property; and
4. The cost of remedying the damage.

(C) Spills.

(1) Spills or leaks of polluting substances discharged to, or having the potential to be indirectly transported to the stormwater conveyance system, shall be contained, controlled, collected and removed promptly. All affected areas shall be restored to their preexisting condition.

(2) Persons associated with the spill or leak shall immediately notify the City Fire Chief or his or her designee of all spills or leaks of polluting substances. Notification shall not relieve any person of any expenses related to the restoration, loss, damage or any other liability which may be incurred as a result of the spill or leak, nor shall such notification relieve any person from other liability which may be imposed by state or other law.

(D) Nuisance. Illicit discharges and illicit connections which exist within the city limits or within one mile thereof are hereby found, deemed and declared to be dangerous or prejudiced to the public health or public safety and are found, deemed and declared to be public nuisances. Such public nuisances shall be abated in accordance with the procedures set forth in section 12-3-4.

(Ord. No. 04-112, passed 9-9-2004)

TITLE 11 LICENSING AND REGULATORY

CHAPTER 1: VEHICLES FOR HIRE

SEC. 11-1-1 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Call or demand. transportation arrangements made indiscriminately and instantaneously with a request for service which shall include, but not limited to, the hailing of a taxicab or pedicab made from a public street location, airport terminal roadway, or public vehicular area as the pickup. No vehicle for hire other than a taxicab or pedicab shall engage in cruising or be operated on “call or demand”.

Certificate. A certificate of public convenience and necessity which has been issued to a holder in accordance with the provisions of this chapter, unless otherwise defined herein.

Chief of Police. Chief of police or designee.

Contract vehicle. Any passenger vehicle for hire that provides contract transportation to passengers for compensation by written prearrangement with a business, facility, institution or group. The “contract vehicle” for hire does not accept other passengers indiscriminately between points along streets, roads and highways and does not accept compensation from any passenger. No “contract vehicle” shall engage in cruising or be operated on call or demand.

Cruising. The operation of a vehicle on the streets of the city in search of or soliciting prospective passengers for hire. No passenger vehicle for hire, other than a taxicab or pedi-cab, shall engage in cruising or be operated on call or demand.

Driver’s permit. The license issued to any person to enable that person to operate a taxicab vehicle upon the streets of the City of Greenville.

Exclusive-ride service. The operation of a taxicab by transporting one passenger, or a group of passengers, from one trip origin to one destination and not allowing additional passengers to board until the prescribed destination is reached.

For-hire vehicle. Any motor vehicle or non-motorized vehicle including, but not limited to, full sized station wagon, transport vehicle, handicap accessible transport vehicle or van style vehicle, used for the purpose of transporting passengers for a set charge or fee, based upon the origin or destination requested. For-hire vehicle services shall be prearranged and not on demand. For purposes of this chapter, “for-hire vehicles” also shall include such vehicles that accept donations and do not have a set rate charge. For the purpose of this chapter, the term “for-hire vehicle” shall not include “medical transport” or “private ambulance” as herein defined. For the purposes of this chapter, all “for-hire vehicles” shall be required to possess a privilege license.

Holder. An individual(s), trustee, fiduciary, corporation, partnership, or other entity to whom a certificate of public convenience and necessity has been issued in accordance with the provisions of this chapter, unless otherwise defined herein.

Limousine. Any motor vehicle that meets the manufacturer's specifications for a luxury limousine and that provides limousine service as defined in this section. Every "limousine" shall have a minimum of four seats or one continuous sofa-styled seating area located behind the operator of the vehicle. No "limousine" shall engage in cruising or be operated on call or demand.

Limousine company. Any passenger vehicle for hire company issued a company operating certificate that engages in the business of operating limousines or providing limousine service as an owner or franchisor.

Limousine sedan. Those vehicles that provide executive transportation services and are necessarily limited to full-sized luxury sedans.

Limousine service. The service regularly rendered to the public, not over fixed routes, which furnishes transportation by limousines for hire, based on a fee determined by increments of time and contracted for by telephone or other prearrangement with a limousine company.

Low-speed vehicle taxicab. A four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour that transports persons for compensation. Unless a specific ordinance applies herein, a low-speed vehicle shall follow all provisions of this chapter related to taxicabs.

Low-speed vehicle taxicab company. A person who applies for and is issued a public certificate of convenience and necessity issued in accordance with this chapter that engages in the business of operating a low-speed vehicle taxicab service as an owner or franchisor.

Manifest. A daily record, prepared by the owner, of all trips made by the taxicab(s) which the owner operates, showing time and place of origin and destination of each trip and the amount of fare.

Medical transport or private ambulance. Those vehicles designed to carry medical patients requiring special medical equipment including but not limited to oxygen, intravenous systems or ventilators, stretcher or bed bound patients, using trained emergency medical technicians or paramedics to transport and care for those in their care and licensed by the North Carolina Department of Health and Human Services pursuant to G.S. Ch. 131E, Art. 7.

Owner/holder. Any person, firm or corporation to whom a certificate of public convenience and necessity has been issued under this chapter.

Pedi-cab. Any business or individual who operates a small-scale local means of transport that is human powered but also may be powered in whole or part by an electric or small gasoline motor.

Privilege license. The business license required and issued to all businesses that operate within the City of Greenville.

Shared-ride service. The operation of a taxicab by transporting passengers from one or several different origins to one or several different destinations, not necessarily using the most direct route, but using a route that will allow the driver to deviate in order to pick up or discharge passengers other than, and in addition to, the first or original passenger.

Shuttle van. Any passenger vehicle for hire that provides shuttle transportation to passengers to or from prescribed locations such as hotels, motels, shopping centers, schools to after school daycare, business or commercial buildings, stadiums, convention center or theaters by prearrangement for a fee, pursuant to a contract or agreement, and that does not accept or discharge passengers indiscriminately between prescribed locations. No “shuttle van” shall engage in cruising or be operated on call or demand. Shuttle service charges may not be collected from the passenger.

Taxicab. Includes any motor driven vehicle, seating nine or fewer passengers, for which public patronage is solicited and which calculates the fare by means of the schedule of fares as approved by the City Council. For the purposes of this chapter, the term “taxicab” shall not include “limousine” or “for-hire vehicle” but shall include pedi-cab and low-speed vehicle taxicab as herein separately defined.

Taxicab inspector. The person designated by the Chief of Police or designee who is charged with the duties required under this chapter, including the inspection and licensing of taxicabs and the drivers thereof.

Taxi stand. Such places and locations as designated by the City Manager, Director of **Public Works Engineering** and Chief of Police or their designees as locations where only taxicabs or pedi-cabs may stand or park awaiting passengers on demand for pickup or discharge.

Taxi Fare Service Zones. The map used to reflect the zones in which the corporate limits of the City of Greenville is divided and shall designate the applicable rate for each zone and as set out in the Manual of Fees for the City of Greenville.

Taxi service or limousine service. The holder of one of the certificates of public convenience and necessity issued under this chapter.

Tobacco, tobacco products. Cigarettes, pipes, cigars, smokeless tobacco, snuff, and chewing tobacco.

Transport services. Contract vehicles for hire, vehicles for hire that carry 15 passengers or less, or for-hire vehicles that carry persons with disabilities exclusively. “Transport services” do not accept passengers indiscriminately between points along streets, roads and highways and do not accept compensation directly from any passenger. Unless under written contract or agreement with a restaurant, club or other business, no “transport service” may wait outside a business to pick up passengers on a for-hire basis or donation basis. No contract vehicle shall engage in cruising or be operated on call or demand.

Wait or waiting time. The period of time consumed when a taxicab is not in motion at the direction of a passenger from the time of acceptance of a passenger to the time of discharge and also the time consumed while a driver is waiting for a passenger after having responded to a call; however, “wait” or “waiting time” shall not include and may not be charged for:

- (1) The time consumed by a premature response;
- (2) The first three minutes following the timely arrival in response to a call;
- (3) The delay caused by traffic interruption, traffic lights, accidents, railroad train crossing;

(4) The inefficiency of the driver; and/or

(5) Any other cause other than at the request, act, or fault of the passenger.

(Ord. No. 11-069, § 1, passed 11-17-2011; Ord. No. 21-060, § 1, passed 10-14-2021)

SEC. 11-1-6 TAXI STANDS.

(A) The City Manager, Director of ~~Public Works~~ **Engineering** and Chief of Police or their designees may elect to establish taxi stands. If such taxi stands are established, they shall be established jointly by these individuals or their designees.

(B) Taxis including pedi-cabs shall enter the designated taxi stands from the rear only, and each taxi must be headed in the direction of the exit. No taxi shall stop at a taxi stand unless there is a vacancy therein. Taxis shall exit taxi stands in the order in which they enter. Drivers shall remain in their taxis or within the taxi stand so that normal operations of the taxi stand are maintained. Taxi drivers may leave the taxi stand only in an emergency or to assist passengers.

(C) No vehicle for hire may use a taxi stand except taxicabs and pedi-cabs.

(D) If taxi stands are established, a list shall be maintained by the taxi inspector, placed on the city website or at such other places as determined by the Chief of Police or designee. Such lists shall be open for inspection.

(Ord. No. 11-069, § 1, passed 11-17-2011)

TITLE 12 OFFENSES AND PUBLIC NUISANCES

CHAPTER 1: SPECIFIC OFFENSES

SEC. 12-1-11 UNLAWFUL ASSEMBLY IN CITY-OWNED PARKING LOT AND TRESPASS UPON PRIVATELY OWNED PARKING LOT.

(A) City-owned parking lot. It shall be unlawful for any person to assemble with one or more other persons on a city-owned or controlled parking lot except for the purpose of lawfully parking a vehicle in the lot. It shall not be a violation of this section to lawfully park a vehicle in a city parking lot and leave the lot without delay, or go upon a city parking lot and without delay proceed to a lawfully parked vehicle and then leave.

(B) Constitutional exception. The prohibition in subsection (A) above shall not apply to a congregation of persons pursuant to any lawfully issued permit for a parade, demonstration, picketing or other event or congregation protected under the Constitution of the United States or this state.

(C) City parking lot defined. The term “city parking lot,” as used in this section, shall mean any parking lot owned or controlled by the city and maintained for public or public and leased space parking.

(D) Privately owned parking lot. It shall be unlawful for any person to enter or remain upon any privately owned parking lot or publicly owned lot owned by a governmental entity other than the city after normal working hours and on weekends when the owner, lessee or authorized agent has posted a sign or signs clearly stating the prohibition. The sign(s) shall be placed in a position where it is clearly visible and shall contain the following language:

NO PARKING OR TRESPASSING BETWEEN

_____ P.M. and _____ A.M.

VIOLATORS WILL BE PROSECUTED

Signs may be obtained from the ~~Public-Works Engineering~~ Department of the city or shall meet the specifications for those signs as directed by the Director of ~~Public-Works Engineering~~ for the city.

(E) Exceptions. The prohibitions in subsections (A) and (D) shall not apply to:

- (1) Temporary entrance to the parking lot in an emergency or to avoid an accident;
- (2) Entrance by police officers or city officials in the course of duty;
- (3) Entrance by fire, ambulance and other emergency personnel and equipment, in the course of duty;
- (4) Turning around to travel on the same street in the opposite direction;

(5) Entrance by the owner, occupant or the employees and agents of the owners or occupant; or

(6) The congregation of persons to observe a parade or publicly sponsored or sanctioned event (such as a festival, celebration, fireworks display or other similar event).

(F) Special events. The owner or person in charge of any privately owned parking lot may grant temporary permission to use the lot during any specified hours, when parking or trespassing is normally prohibited, by posting temporary signs or posters to that effect. The owner or person in charge shall notify the Police Department of any such temporary permission.

(G) Penalty for violation. Violation of subsection (A) shall be a misdemeanor as provided by G.S. 14-4. Violation of subsection (D) shall be a misdemeanor as provided by G.S. 14-159.13.

(Ord. No. 2050, § 1, passed - -)

CHAPTER 3: WEEDS, VEGETATION AND OTHER PUBLIC HEALTH NUISANCES

SEC. 12-3-3 NUISANCES PROHIBITED; ENUMERATION.

The following enumerated and described conditions are hereby found, deemed and declared to constitute a detriment, danger and hazard to the public health and the public safety of the inhabitants of the city and are found, deemed and declared to be public nuisances wherever the same may exist, and the creation, maintenance or failure to abate any nuisances is hereby declared unlawful:

- (A) Any condition which is a breeding ground or harbor for mosquitoes or a breeding ground or harbor for rats or other pests;
- (B) A place of heavy growth of weeds, grasses, vines or other vegetation over ten inches in height;
- (C) A place of growth of vines, shrubs or other vegetation when such condition is causing a breeding ground for rodents or is a focal point for any other nuisance enumerated in this section;
- (D) A place of growth of poison sumac, poison ivy, poison oak or other noxious vegetation;
- (E) An open place of collection of stagnant water where insects tend to breed;
- (F) Any concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, old clothes, rags or any other combustible materials or objects of a like nature;
- (G) Any concentration of building materials including concrete, steel or masonry which are not suitable for building construction, alterations or repairs, and which are in open places;
- (H) An open place of collection of garbage, food waste, animal waste or any other rotten or putrescible matter of any kind; however, nothing in this subsection shall be construed to prevent the generally accepted use of a properly maintained compost pile or storage of animal manure being used as fertilizer for lawns and gardens and for other agricultural or horticultural purposes;
- (I) Any household or office furniture, appliances or other metal products of any kind kept in open places or any indoor upholstered furniture kept outside in a location exposed to the weather;
- (J) Any products which have jagged edges of metal or glass or areas of confinement kept in open places;
- (K) Any open place of concentration of trash, refuse, discarded bottles, cans or medical supplies;
- (L) Any condition whereby any fence, sign, billboard, shrubbery, bush, tree, mailbox or other object or combination of objects which obstructs the view of motorists using any street, private driveway or approach to any street intersection adjacent to and abutting such and so as to constitute a traffic hazard as a condition dangerous to public safety upon any such street, private driveway or at any such street intersection;

(M) Any fence or wall, as determined by the Director of Planning and Development Services, which through neglect, lack of repair, type or manner of construction, method of placement or otherwise, becomes undesirable or constitutes a hazard or endangers any person, animal or property;

(N) Any improper or inadequate drainage, as determined by the ~~Director of Public Works~~ **City Engineer**, on private property which causes flooding, interferes with the use of or endangers in any way the streets, sidewalks, parks or other city-owned property of any kind;

(O) Any condition, as determined by the ~~Director of Public Works~~ **City Engineer**, which blocks, hinders or obstructs in any way the natural flow of branches, streams, creeks, surface waters, ditches or drains;

(P) Any stormwater retention or impoundment device which is operating improperly, as determined by the ~~Director of Public Works~~ **City Engineer**;

(Q) Any unlawful disposal, placement, emptying, dumping, spillage, leakage, pumping, pouring, emission or other discharge of any substance other than stormwater, unless associated with permitted activity as identified in section 9-9-16(A), into a stormwater conveyance, the waters of the state or upon the land in such proximity to the same, such that the substance is likely to reach a stormwater conveyance or the waters of the state or any unlawful connection that allows the discharge of non-stormwater to the stormwater conveyance system or waters of the state in violation of Chapter 9 of Title 9 of the Greenville City Code;

(R) A condition which occurs when a tenant leaves leased property either voluntarily or involuntarily (including but not limited to ejectment or other landlord removal action) and leaves or abandons trash, debris and property and the owner or property manager fails to remove the trash, debris or property from the leased property within 24 hours after the voluntary or involuntary removal of the tenant;

(S) Any place of growth of shrubs, trees or other vegetation that impedes public safety vehicle and firefighting equipment ingress and egress in the following locations that are utilized as public safety vehicle and firefighting equipment access routes and areas: private street easements, private drives, parking lots and/or drive isles, fire hydrant easements, designated fire lanes or other public vehicular areas;

(T) A condition which exists as the result of garbage, debris, refuse matter and recyclables located upon property which pose a public health nuisance or safety hazard; and

(U) Any other condition declared to be dangerous or prejudicial to the public health or public safety and a public nuisance by the City Council.

(Ord. No. 06-127, §§ 2, 3, passed 12-14-2006; Ord. No. 09-03, § 1, 2, passed 1-8-2009; Ord. No. 09-39, § 4, 5, passed 5-14-2009; Ord. No. 21-010, § 3, passed 2-15-2021)

CHAPTER 5: NOISE CONTROL

SEC. 12-5-8 PERMITS.

(A) Who may apply. A person or group of persons may produce or cause to be produced sound in excess of the limits set in section 12-5-4, Table 1 only if a “permit to exceed” has been obtained. With a permit granted pursuant to this section, maximum sound levels shall be as set out in section 12-5-4, Table 2.

(B) Application for permit. Any person or group of persons desiring an “outdoor amplified sound permit” or a “permit to exceed” shall apply as provided in this section, and shall provide all information required. All applications for a “permit to exceed” shall be submitted to the Chief of Police or his or her designee at least 72 hours prior to the scheduled event; failure to comply with this requirement shall be grounds for denying the permit.

(C) Action by Chief of Police. The Chief of Police or designee shall act upon all requests for permits.

(1) In considering and acting on all requests for permits pursuant to this chapter, the Chief of Police or designee shall consider but shall not be limited to the following in issuing or denying the permit: the timeliness of the application; the nature of the requested activity; previous experience with the applicant; the time of the event; other activities in the vicinity of the location proposed; the frequency of the application; the cultural or social benefits of the proposed activity; the effect of the activity on any residential area of the city, and previous violations, if any, of the applicant.

(2) In assessing "other activities in the vicinity" and the frequency of applications in the vicinity, the Chief of Police or designee shall not issue more than two permits per month within a 1,000-foot radius of each other, or issue permits for events on consecutive weekends (Friday and Saturday) within a 1,000-foot radius of each other. However, the limitation on the issuance of permits in this subsection (2) shall not apply to events at the Town Common conducted, sponsored, or sanctioned by the city.

(3) In considering or acting upon a request for a "permit to exceed" requested by a group other than a fraternity or sorority, the Chief of Police or designee shall limit permits granted at any specific location to no more than two "permits to exceed" per year.

(D) Fee for permit. Every application for a permit or permits shall require a fee, and such fee shall be set out in the Manual of Fees for the city.

(E) Conditions on permits. “Permits to exceed” and “outdoor amplified sound permits” shall specify the duration for which noncompliance shall be permitted and shall prescribe the conditions or requirements necessary to minimize adverse effects upon the community or surrounding neighborhood. The Chief of Police or designee may require but shall not be limited to the following:

(1) No sound speakers may be set up more than ten feet off the ground;

(2) Permit holder(s) change the arrangement of amplifying equipment or sound instruments upon the request of any Greenville police officer so as to minimize the disturbance to others resulting from the position or orientation of the amplifying equipment or from atmospherically or geographically caused dispersal of sound beyond the property lines;

(3) Adjoining property owners surrounding the location proposed as the site of the permitted event be notified by the applicant at least 72 hours prior to the scheduled event, and also advised of the time by which cleanup of the area will be accomplished. Notice to the adjoining property owners shall include a statement indicating that comments or concerns regarding the issuance of a permit at the proposed location may be made to the Chief of Police prior to the event. These conditions are mandatory on all “permit to exceed” applicants, except that neither this subsection nor subsection (E)(6) below shall apply to university-sponsored events approved by the Chancellor on university-owned property. For the purposes of the provision of notice to adjoining property owners as required by this subsection, when the location proposed as the site of the permitted event is at or within an apartment complex or other multi-family dwelling development, adjoining property shall include all units within the development which are wholly or partially within 100 feet of the site of the permitted event and all properties which either abut directly on the external boundary of the development or are only separated from the external boundary of the development by a street or the right-of-way of a street, railroad or other public service corporation;

(4) No permitted event may last longer than four hours except that an event may be permitted for longer than four hours if the event is held at Guy Smith Stadium between Memorial Day and Labor Day;

(5) No event may extend beyond 11:00 p.m.;

(6) Permit holders hire off-duty Greenville police officers, equipped with noise meters, to monitor compliance of the applicant with the conditions on the permit. The applicant will be required to employ the following number of off-duty Greenville police officers based on the estimated number of persons attending the event:

1–50 1 off-duty officer

51–100 2 off-duty officers

101 or more 4 or more off-duty officers as determined at the sole discretion of the Chief of Police

It is the responsibility of the permit holder to ensure that the number of persons actually attending the event do not exceed the estimated numbers specified in the application for determining the number of off-duty officers required at the event.

(7) The site of the event, and the area surrounding the site of the event, will be cleaned, by the applicant, of all the trash, litter and debris by 10:00 a.m. the following day, or by sunset of the day of the event if the event ends at least four hours before sunset;

(8) Misrepresentations, false, misleading or inaccurate information provided in the application for an outdoor amplified sound permit will result in the immediate revocation of the permit and may result in the denial of future permits; and

(9) Applicants and others that may be responsible, according to the terms of the permit application, are responsible for all costs, salaries and expenses incurred by the city for violations of the permit to exceed the outdoor amplified sound permit.

(F) Cooperation with police. Permit holder(s) shall agree to cooperate with the Police Department in enforcing this chapter by having the signer(s) of the permit available at the site of the event during the entire time for which a permit has been issued and capable of assisting the police in enforcing the noise control ordinance. Failure of such signer(s) of a permit to be present or to assist the police in complying with the terms of the permit will be cause for immediate revocation of the permit.

(G) Additional expenses. The applicant is responsible for the conduct of those in attendance. If as a result of conduct of those in attendance additional resources from the Greenville Police Department are required, resources from the Fire Rescue Department and/or Public Works Department **and/or Engineering Department** to address the problems caused or created by those in attendance, the applicant and/or sponsoring organization shall reimburse the city for the additional expenses incurred including but not limited to salary, overtime, fuel, travel and other expenses directly related to the event.

(Ord. No. 05-108, passed 9-8-2005; Ord. No. 14-045, 1, passed 8-14-2014; Ord. No. 18-014, § 2, passed 3-8-2018)






City of Greenville, North Carolina

Meeting Date: 05/08/2023

<u>Title of Item:</u>	Contract award for janitorial services for various City facilities
<u>Explanation:</u>	<p>The City advertised for bids for professional services for a Janitorial Services Contract on January 26, 2023. The solicitation was to provide janitorial services for the City facilities listed below:</p> <p>City Hall (200 West 5th Street) Municipal Building (201 West 5th Street) Public Works Complex (1500 Beatty Street) Employee Health Clinic (1400 Brownlea Drive)</p> <p>On March 10, 2023, staff received eight (8) proposals in response to the Invitation to Bid. A & B Cleaning Service, Inc. was the lowest responsible, responsive bidder.</p> <p>The scope of work includes litter removal, general and specialized cleaning, and restocking during each cycle. Service cycles are based on weekly schedules with service days on Monday, Wednesday, and Friday beginning on July 1, 2023, and lasting through June 30, 2024. The contract will begin upon issuance of a Notice to Proceed and last through June 30, 2024. The contract may be extended by the City annually for up to a total of two (2) additional years.</p>
<u>Fiscal Note:</u>	The City will enter into a contract with A & B Cleaning Service, Inc. in the amount of \$64,632.00 annually and \$199,771.05 for a three (3) year period beginning FY 2024 and ending FY 2027. Funding for this contract is provided through the Public Works Department operational budget.
<u>Recommendation:</u>	City Council award a janitorial service contract to A & B Cleaning Service, Inc.

ATTACHMENTS

-  [2023 Janitorial Contract - AGENDA ITEM.pdf](#)
-  [2023 Janitorial Contract ITB - EXHIBIT A.pdf](#)
-  [2023 Janitorial Contractors Proposal EXHIBIT B.pdf](#)



AGREEMENT FOR CONSULTANT/CONTRACTOR SERVICES

Janitorial Services Contract

THIS Agreement made and entered into on this date, _____, by and between the City of Greenville, a municipal corporation organized and existing under the laws of the State of North Carolina, Party of the First Part, and hereinafter referred to as the “City” and has a primary address of 200 W. Fifth Street, Greenville, NC 27858 and A&B Cleaning Service, Inc., a corporation, organized and existing under the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the “Contractor” whose primary offices are located at 610-B Lynndale Ct Greenville NC 27858.

GENERAL RECITALS

WHEREAS, the City desires the assistance of a Consultant/Contractor in the performance of certain professional services; and

WHEREAS, the Consultant/Contractor has exhibited evidence of experience, ability, competence, and reputation to perform such services; and

WHEREAS, the City is authorized by North Carolina General Statute § 160A-20.1 to enter into an Agreement for performance of such services;

NOW THEREFORE, the City and the Consultant/Contractor, for consideration hereinafter stipulated, mutually agree as follows:

The Consultant/Contractor agrees to perform the assigned services.

ARTICLE I – SCOPE OF WORK

I.A. DESCRIPTION OF WORK REQUIRED

The Consultant/Contractor shall provide janitorial services for the Janitorial Services Contract, as designated by the Buildings & Grounds Superintendent, or designee, within the Public Works Department and defined in the Invitation to Bid (“ITB”) Bid #22-23-30 and amendments, if any, said work being hereinafter referred to as the “Work”. The ITB and amendments, if any, are hereby incorporated by reference herein and made a part hereof as fully as if herein set forth. Unless otherwise specified herein, the Consultant/Contractor is to furnish all necessary labor, materials, tools, equipment, superintendence, delivery and perform all necessary services to complete the Work at no additional costs to the City.

I.B. WORK STANDARDS

The Consultant/Contractor will perform the Janitorial Services Contract with the highest of standards in accordance with all applicable federal, state and local laws, regulations and safety guidelines.

I.C. ORDER OF PRECEDENCE

For the resolution and interpretation of any inconsistencies in this Agreement and/or the documents attached hereto and included herein by this reference, the precedence of these documents shall be given the following order:

1. This Agreement with any Attachments, including Addendum(s) and Amendment(s) hereto;
2. If applicable, negotiated Amendments or clarification to the Consultant/Contractor’s Proposal which have been incorporated by reference to the final Agreement;
3. City’s ITB attached hereto as Exhibit A; and
4. Consultant/Contractor’s Proposal attached hereto as Exhibit B.

I.D. SUBCONTRACTS

The Consultant/Contractor and/or sub-consultant will not sublet any portion of the work covered by this Agreement without prior written approval by the City.

- I.D.1. The Consultant/Contractor will be responsible for the schedule of any work sublet to others so as to assure the overall schedule of the project is maintained.
- I.D.2. The Consultant/Contractor will be responsible for the completeness, accuracy and presentation of all data, and for the review of any work sublet to others.
- I.D.3. The Consultant/Contractor shall notify all sub-consultants under this contract of ALL new work assignments made by the City to the Consultant/Contractor regardless of any particular sub-consultant’s engagement level under a particular task order. This notification information may be requested by the City in the form of a report.

ARTICLE II – DATA AND SERVICES TO BE PROVIDED BY THE CITY

II.A. DATA AND SERVICES

- II.A.1. The City’s project manager who will be overseeing the Contractor/Consultant in order to ensure that the requirements of this contract are met is the Building and Grounds Superintendent or their designee. If assistance or further information is needed, the Contractor/Consultant shall contact the Building and Grounds Superintendent or their designee at (252) 329-4522 or the Public Works Complex, 1500 Beatty Street, Greenville, NC. All directions and communications from the City to the Contractor/Consultant shall be through the Building and Grounds Superintendent or their designee unless otherwise stated herein.
- II.A.2. The City shall provide available data and information, as applicable to the detailed SCOPE OF WORK developed for all tasks, which may include, but is not limited to the following:
- II.A.3. Any City property, information, data, instruments, documents, studies or reports given to or prepared or assembled by or provided to the Consultant/Contractor under this Agreement shall be kept as confidential, used only for the purpose(s) required to perform the Agreement and not divulged or made available to any individual or organization without the prior written approval of the City. The City’s data and property in the hands of the Consultant/Contractor shall be protected from unauthorized disclosure, loss, damage, destruction by a natural event or another eventuality. The Consultant/Contractor agrees to reimburse the City for loss or damage of City property while in Consultant/Contractor’s custody. Such City Data shall be returned to the City in a form acceptable to the City upon the termination or expiration of this Agreement. The Consultant/Contractor shall notify the City of any security breaches within 24 hours as required by G.S. § 143B-1379.

ARTICLE III – TIME OF BEGINNING AND COMPLETION

III.A. PERIOD OF PERFORMANCE

Work will begin no later than seven (7) days following written a “Notice to Proceed” to begin work on specified deliverables. The work will be completed according to a written schedule provided by the City. The Consultant/Contractor will be responsible for implementing and monitoring the schedule.

This Agreement will expire ***June 30, 2024.***

This Agreement may be extended by the City in its sole discretion, annually for up to a total of two (2) additional years, starting on July 1st of the current year and ending on June 30th of the following year.

III.B. DELIVERABLES

If additional deliverables beyond the agreed-upon scope of work for the project are required to complete the assignment then a new written amended scope of work/description of goods will be developed for the additional Work. This amendment will not become effective until completed as required herein. The Consultant/Contractor shall notify the City’s Project Manager as soon as additional services beyond agreed upon scope of work appear to be warranted. The Consultant/Contractor must never under any circumstance exceed the approved cost estimate without prior written authorization from the City.

No additional work may be assigned under this Agreement after that date unless appropriate supplemental Agreements are in place.

Performance of Work by City. If Contractor/Consultant fails to perform the Work in accordance with the schedule required by this Agreement, the City may, in its discretion, perform or cause to be performed some or all of the Work, and doing so shall not waive any of the City's rights and remedies. Before doing so, the City shall give Contractor/Consultant notice of its intention. Contractor/Consultant shall reimburse the City for additional costs incurred by the City in exercising its right to perform or cause to be performed some or all of the Work pursuant to this section.

ARTICLE IV – COMPENSATION AND PAYMENTS

IV.A. FEES AND COSTS

As compensation for the Consultant/Contractor services as outlined in ARTICLE I – Janitorial Services Contract, a monthly pay at the rate of:

\$5,386 per month

Payment shall be based upon the areas completed by the Consultant/Contractor during the previous month. The City shall not be obligated to pay the Contractor any payments, fees, expenses, or compensation other than those authorized by this section. Upon successful completion of year one (1) of this contract, per specifications and directives, and at the written request by the Contractor at least 30 days prior to the renewal date of this contract, the Contractor may be eligible for a 3% annual increase for year two (2) and year three (3). Each request **MUST** be in writing and submitted at least 30 days prior to the contract renewal date for each year of the request in order to receive the 3% increase. This request for increase will be reviewed and approved by the Director of Public Works (or their Designee) and the Contractor will be notified in writing of these changes.

IV.B. PAYMENT

Upon receipt of invoices and appropriate supporting documentation by the City, the invoices are payable within thirty (30) days from receipt, provided they have first been approved by the City. The City does not agree to the payment of late charges or finance charges assessed by the Consultant/Contractor for any reason. Invoices are payable in U.S. funds.

The Consultant/Contractor shall pay subcontractors for work performed within seven (7) days after Consultant/Contractor receives payment from the City for work performed by the subcontractor. This requirement must be incorporated into all subcontractor agreements. Failure to comply with the seven (7) day requirement may cause the City to withhold payments to the Consultant/Contractor and the City may suspend work until the subcontractor is paid.

All invoices shall be directed to: *Building Facilities Coordinator, Public Works Department, 1500 Beatty Street, Greenville, NC 27834* or emailed to mturner@greenvillenc.gov

It shall be the responsibility of the Consultant/Contractor and all sub-consultants to keep records of all payments requested and the dates received. The City may request copies of this information in the form of a report.

ARTICLE V - GENERAL TERMS AND CONDITIONS

V.A. TERMINATION

The City may terminate this Agreement at any time upon any of the following grounds:

- V.A.1. **DEFAULT.** The Consultant/Contractor fails to perform, provides unacceptable performance, fails to comply with the provisions of the contract, or fails to follow safety regulations as required in this Agreement. Under this provision only, the City shall provide written notice to the Contractor/Consultant regarding the condition(s) and the Contractor/Consultant shall have ten (10) calendar days to rectify. In the event the condition(s) identified are not rectified to the satisfaction of the City, the City will give the Contractor/Consultant written notice of termination, which will be effective as of the date of notice unless otherwise stated in the notice of termination. Upon receipt, the Contractor/Consultant is expected to remove all employees and equipment from the premises immediately.
- V.A.2. **CONVENIENCE.** Without limiting either party's right to terminate for breach, the parties agree the City may terminate this agreement, without cause and in its discretion, by giving (thirty) 30 calendar days written notice. Seller shall be paid for services provided up to the date of termination except to the extent previously paid for under the Agreement. Work shall be paid for in accordance with the method (unit prices, hourly fees, etc.) to be used for payment had the Work been completed except to the extent it would be inequitable to either party, and if Work was to be paid for on a lump-sum basis, the City shall pay the part of the lump sum that reflects the percentage of completion attained for that Work. The City shall not be liable to Consultant/Contractor for any additional compensation, or for any consequential or incidental damages, including but not limited to overhead, profit, damages, other economic loss or otherwise, and all obligations under the Agreement shall be discharged except that any right based on prior breach or performance survives and any other provisions expressly cited to survive termination. At the time of TFC or as soon afterwards as is practical, Consultant/Contractor shall give the City all Work, including partly completed Work.
- V.A.3. **FUNDING.** In accordance with paragraph V.G.14, this agreement shall automatically terminate should funding cease to be available.
- V.A.4. **FORCE MAJEURE.** This includes but is not limited to any acts of God; acts of the public enemy; insurrections; riots; embargoes; labor disputes, including strikes, lockouts, job actions, or boycotts; shortages of materials or energy; fires; explosions; floods; any curtailment, order, regulation, or restriction imposed by governmental, military or lawfully established civilian authorities, including, without limitation any of the foregoing which occur as a result of epidemic or pandemic; changes in laws governing this type of Work of facility; or other unforeseeable causes beyond the reasonable control and without the fault or negligence of the City. Reasonable extension of time for unforeseen delays may be made by mutual written consent of all parties involved.
- V.A.5. **EXPIRATION.** Upon expiration of this Agreement, this Agreement is terminated, if not extended, in accordance with the terms and conditions of this Agreement.

V.B. **CONSULTANT/CONTRACTOR'S RESPONSIBILITY**

- V.B.1. Consultant/Contractor shall perform the Work under this Agreement as an independent contractor and not as City's agent or employee. Consultant/Contractor shall be solely responsible for the compensation, benefits, contributions and taxes, if any, of its employees and agents.
- V.B.2. The standard of care applicable to Consultant/Contractor's performance will be the degree of skill and diligence normally employed by professional Consultant/Contractors performing the same or similar services at the time and location said services are performed. Consultant/Contractor will re-perform any services not meeting this standard without additional compensation.
- V.B.3. Consultant/Contractor will provide all equipment including but not limited to computer, recording equipment, long distance telephone and facsimile service, cellular service, and any clerical supplies necessary to perform the Work required under this Agreement. Consultant/Contractor shall be responsible for all travel and related expenses.
- V.B.4. Consultant/Contractor shall be responsible for all federal, state and local taxes incurred, owed or payable as a result of the performance of the Work.
- V.B.5. In the performance of the Work under this Agreement, Consultant/Contractor shall comply with all federal, state, county and City statutes, ordinances, regulations, and rules, which are applicable.
- V.B.6. The Contractor/Consultant shall furnish a competent project manager who shall be available to the Buildings and Grounds Superintendent or their designee at all times that the Contractor/Consultant is performing the Work under this Agreement. The Contractor/Consultant's supervisor shall have full authority over the Contractor/Consultant's employees, agents, subcontractors, or otherwise and shall monitor them and direct them responsibly. The Contractor/Consultant's supervisor shall have a mobile telephone number to be contacted as needed. This number shall be provided to the City within five (5) days of the date of this contract.

V.C. **INDEMNIFICATION, INSURANCE AND WARRANTIES**

V.C.1. **INDEMNITY AND HOLD HARMLESS REQUIREMENTS:**

- a. To the maximum extent allowed by law, the Contractor shall defend, indemnify, and save harmless Indemnitees from and against all Charges that arise in any manner from, in connection with, or out of this contract as a result of acts or omissions of the Contractor or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. In performing its duties under this subsection "a," the Contractor shall at its sole expense defend Indemnitees with legal counsel reasonably acceptable to City.
- b. Definitions. As used in subsections "a" above and "c" below -- "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, and expenses (included without limitation within "Charges" are (1) interest and reasonable attorneys' fees assessed as part of any such item, and (2) amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders -- including but not limited to any such alleged violation that arises out of the handling, transportation, deposit, or delivery of the items that are the subject of this contract). "Indemnitees" means City and its officers, officials, independent contractors, agents, and employees, excluding the Contractor.

- c. Other Provisions Separate. Nothing in this section shall affect any warranties in favor of the City that are otherwise provided in or arise out of this contract. This section is in addition to and shall be construed separately from any other indemnification provision that may be in this contract.
- d. Survival. This section shall remain in force despite termination of this contract (whether by expiration of the term or otherwise) and termination of the services of the Contractor under this contract.
- e. Limitations of the Contractor's Obligation. If this section is in, or is in connection with, a contract relative to the design, planning, construction, alteration, repair or maintenance of a building, structure, highway, road, appurtenance or appliance, including moving, demolition and excavating connected therewith, then subsection "a" above shall not require the Contractor to indemnify or hold harmless Indemniteses against liability for damages arising out of bodily injury to persons or damage to property proximately caused by or resulting from the negligence, in whole or in part, of Indemniteses.
- f. It is understood and agreed by the parties that the City will assume no liability for damages, injury, or other loss to the Consultant/Contractor, its employees or property, tools or equipment, or to other persons or properties located on City facilities resulting from the Consultant/Contractor's activities and operations while performing services under this contract. The Consultant/Contractor shall assume full and complete liability for any and all damages to City or private properties caused by or from its activities, operations, and that of its employees, agents, and officers.
- g. Consultant/Contractor will promptly notify the City of any Civil or Criminal Actions filed against the Consultant/Contractor or of any notice of violation from any Federal or State Agency or of any claim as soon as practical as relates to the services provided. The City, upon receipt of such notice, shall have the right, at its election, to defend any and all actions or suits or join in defense.

V.C.2. **INSURANCE:**

The Consultant/Contractor agrees to purchase at its own expense insurance coverages to satisfy the following minimum requirements. Work under this contract shall not commence until all insurance required as listed has been obtained. Insurance required shall remain in effect through the life of this contract.

- a. **Workers' Compensation Insurance:** No contractor or subcontractor may exclude executive officers. Workers Compensation must include all employees

Limits:

Workers Compensation: Statutory for the State of North Carolina.

Employers Liability: Bodily Injury by Accident \$1,000,000 each accident.

Bodily Injury by Disease \$1,000,000 policy limit.

Bodily Injury by Disease \$1,000,000 each employee.

- b. **Commercial General Liability:**

Limits:

Each Occurrence: \$1,000,000

Personal and Advertising Injury \$1,000,000

General Aggregate Limit \$2,000,000

Products and Completed Operations Aggregate \$2,000,000

The aggregate limit must apply per project. The form of coverage must be the ISO CG 00 01 policy as approved by the State of North Carolina Department of Insurance. If a form of coverage other than the CG 00 01 is used it must be approved by the City. Any endorsed exclusions or limitations from the standard policy must be clearly stated in writing and attached to the Certificate of Insurance. Completed Operations coverage must be maintained for the period of the applicable statute of limitations. Additionally, the Consultant/Contractor must be added as an Additional Insured to the Commercial General Liability policy.

c. Commercial Automobile Liability:

Limits: \$1,000,000 combined single limit.

d. Cancellation:

Each certificate of insurance shall bear the provision that the policy cannot be altered or canceled in less than ten (10) days after mailing written notice to the assured of such alteration or cancellation, sent registered mail.

e. Proof of Carriages:

- i. The Consultant/Contractor shall provide the City with insurance industry standard ACCORD form Certificate(s) of Insurance on all policies of insurance and renewals thereof in a form(s) acceptable to the City prior to the commencement of services. Said policies shall provide that the City be an additional named insured.
- ii. The City shall be notified in writing of any reduction, cancellation, or substantial change of policy or policies at least thirty (30) days prior to the effective date of said action.
- iii. All insurance policies shall be issued by responsible companies who are acceptable to the City and licensed and authorized to do business under the laws of North Carolina.

V.C.3 WARRANTIES (APPLICABLE TO CONTRACTS FOR SALE OF GOODS)

In addition to other warranties made in this transaction, Seller represents and warrants that all of the products (which includes goods, items, and other things) furnished under this contract, the process by which those products are made, and their use will not infringe any patent, trademark, or other rights of any other person, firm, or corporation, and Seller shall defend, indemnify, and hold harmless the City and its officers, officials, agents, contractors, and employees from and against any and all claims, judgments, costs, damages, losses, demands, liabilities, obligations, fines, penalties, royalties, settlements, and expenses (including interest and reasonable attorney's fees assessed as part of any such item) arising out of any:

- (i) actual or alleged infringement of any such patent, trademark, or other rights; or
- (ii) (except to the extent that the personal injury, death, or property damage is caused solely by negligent or intentional acts or omissions of the City) personal injury, death, or property damage allegedly caused by or resulting from the delivery to the City of, or the manufacture, construction, design, formulation, development of standards, preparation, processing, assembly, testing, listing, certifying, warning, instructing, marketing, selling, advertising, packaging, or labeling of any product furnished to the City under this Agreement.

Without reducing the City's rights under this section, Seller, in case of an actual or threatened claim, may, at Seller's option and expense procure for the City the right to continue using the products furnished under this contract. (However, the preceding sentence does not pertain to part "(ii)" of the first sentence of this section.)

In addition to other warranties made in this transaction, Seller warrants that all of the products (which includes goods, items, and other things) furnished under this contract must:

- (i) Be in conformity with applicable NC and federal statutes and regulations; except to the extent other contract documents provide otherwise,
- (ii) not have been used; and
- (iii) must be at least such as:
 - a. pass without objection in the trade under the contract description;
 - b. in the case of fungible goods, are of fair average quality within the description;
 - c. are fit for the ordinary purposes for which such goods are used;
 - d. run, within the variations permitted by the contract, of even kind, quality and quantity within each unit and among all units involved;
 - e. are adequately contained, packaged, and labeled as the contract may require; and
 - f. Conform to the promises or affirmations of fact made on the container or label if any.

V.D.

CORRECTION OF WORK

The Consultant/Contractor shall promptly correct all Work rejected by the City as failing to conform to this Agreement. The Consultant/Contractor shall bear all costs of correcting such rejected work. Rejected work shall consist of that Work which is deemed ineligible by the City's representative.

V.E.

RELATIONSHIP WITH OTHERS

The Consultant/Contractor will cooperate fully with the City with other municipalities and local government officials, Federal and state environmental resource and regulatory agencies, and with any others as may be directed by the City. This shall include attendance at meetings, workshops, and hearings and also includes provision of project development, human and natural environmental and engineering information to all parties as may be requested by the City. The Consultant/Contractor will also cooperate fully with the STATE and other agencies on adjacent projects, as necessary.

V.F.

NOTICE

Any notice or communication required or permitted by this Agreement shall be deemed sufficiently given if in writing and when delivered personally or three (3) days after deposit with a receipted commercial courier service or the U.S. Postal Service as registered or certified mail, postage prepaid, and addressed as follows:

City:
City of Greenville
P.O. Box 7207
Greenville, NC 27835
Attn: Building and Grounds Superintendent

Consultant/Contractor:
A & B Cleaning Service, Inc.
610-B Lynndale Ct
Greenville, NC 27858
Attn: Marvin McKesson

V.G. **ADDITIONAL PROVISIONS**

V.G.1. **TIME IS OF THE ESSENCE**

The parties agree that time is of the essence in the completion of the Work to be performed pursuant to this Agreement.

The Consultant/Contractor agrees that all Work shall be executed regularly, diligently, and uninterrupted at such a rate of progress as will ensure full completion thereof within the time specified.

V.G.2. **OWNERSHIP OF DOCUMENTS**

All tracings, documents, technical reports, charts, plans, specifications, photographic negatives, photographs, survey notes, computations, and maps and other data or documents prepared or obtained under the terms of the this Agreement shall be delivered to and become the property of the City without restriction or limitation on their use. However, in the event of any reuse or alteration of any documents furnished to the City, such alteration or reuse shall be at the City's sole risk. In the case of an Agreement involving preliminary plans only, no commitment is stated or implied that would constitute a limitation on the subsequent use of the plans or ideas incorporated therein for preparation of construction plans. These items could become the property of the City, if the City so elects.

V.G.3. **MINORITY/WOMEN OWNED BUSINESS ENTERPRISE**

The City has adopted an Affirmative Action and Minority and Women Business Enterprise Plan (M/WBE) Program. The Consultant/Contractor attests that it also shall take affirmative action to insure equality of opportunity in all aspects of employment and to utilize MWBE suppliers of materials and labor when available.

Consultant/Contractor further agrees that in the performance of these services that it will not discriminate in its hiring, employment, and contracting practices with reference to political affiliation, genetic information, sexual orientation, age, sex, race, color, religion, national origin, handicap or disability.

V.G.4. **IRAN DIVESTMENT ACT CERTIFICATION**

The Consultant/Contractor hereby certifies that, it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. § 147-86.58. The Consultant/Contractor shall not utilize in the performance of the Agreement any subcontractor that is identified on the Iran Final Divestment List.

V.G.5. **E-VERIFY**

The Consultant/Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further if the Consultant/Contractor utilizes a Subcontractor, the Consultant/Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. The Consultant/Contractor represents that the Consultant/Contractor and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

V.G.6. **ASSIGNMENT**

There shall be no assignment, subletting or transfer of the interest (including payments) of the Consultant/Contractor in any of the work covered by the Agreement without the written consent of the City. Unless the City agrees otherwise in writing, the Consultant/Contractor and all assignees shall be subject to all of the City's defenses and shall be liable for all of the Consultant/Contractor's duties that arise out of this Agreement and all of the City's claims that arise out of this Agreement. Without granting the Contractor the right to assign, it is agreed that the duties of the Contractor that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.

V.G.7. **GENERAL COMPLIANCE WITH LAWS**

The Consultant/Contractor shall comply with all applicable Federal, State, and local laws, ordinances, rules, and regulations pertaining to the performance of Work under this Agreement.

V.G.8. **AMENDMENTS AND WAIVER**

No waiver, alterations, consent or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by the City or his designee.

V.G.9. **PERMITS, LICENSES, AND CERTIFICATES**

The Consultant/Contractor is to procure all permits, licenses, and certificates, as required by any such laws, ordinances, rules and regulations, for proper execution and completion of the Work under this Agreement.

V.G.10. **CHOICE OF LAW AND VENUE**

This Agreement is deemed to be under and shall be governed by and construed according to the laws of the State of North Carolina and the ordinances of the City of Greenville. The exclusive forum and venue for all actions, suits or proceedings arising out of or related to this Agreement shall be the North Carolina General Courts of Justice, in Pitt County, or if in federal court, in the Eastern District of North Carolina.

V.G.11. **AUTHORITY TO CONTRACT**

The undersigned hereby certifies that this Agreement is made without prior understanding, agreement, or connection with any corporation, firm, or person who submitted bids for the Work covered by this Agreement and is in all respects fair and without collusion or fraud. As to Consultant/Contractor, the undersigned hereby warrants and certifies that they are authorized to enter into this Agreement and to execute same on behalf of the Consultant/Contractor as the act of the said Consultant/Contractor.

V.G.12. **DISPUTE RESOLUTION**

In the event of any dispute arising out of or relating to this agreement, the affected party shall notify the other party, and the parties shall attempt in good faith to resolve the matter within thirty (30) days after the date such notice is received by the other party (the "Notice Date") prior to exercising their rights under law.

V.G.13. **CONFLICT OF INTERESTS**

- a. Consultant/Contractor is aware of the conflict of interest laws of the City of Greenville, of the State of North Carolina (as set forth in North Carolina General Statutes), and agrees that it will fully comply in all respects with the terms thereof and any future amendments.
- b. Consultant/Contractor covenants that no person or entity under its employ, presently exercising any functions or responsibilities in connection with this Agreement has any personal financial interests, direct or indirect, with the City. Consultant/Contractor further covenants that, in the performance of this Agreement, no person or entity having such conflicting interest shall be utilized in respect to the Scope of Work or services provided hereunder. Any such conflict of interest(s) on the part of Consultant/Contractor, its employees or associated persons or entities shall be disclosed to the City.
- c. Consultant/Contractor shall disclose any possible conflicts of interest or apparent improprieties of any party under or in connection with the Legal Requirements, including the standards for procurement.
- d. Consultant/Contractor shall make any such disclosure to the City in writing and immediately upon the Consultant/Contractor's discovery of such possible conflict. The City's determination regarding the possible conflict of interest shall be binding on all parties.
- e. No employee, agent, Consultant/Contractor, elected official or appointed official of the City, exercising any functions or responsibilities in connection with this Agreement, or who is in a position to participate in the decision-making process or gain inside information regarding activities, has any personal financial interest, direct or indirect, in this Agreement, the proceeds hereunder, the Project or Consultant/Contractor, either for themselves or for those with whom they have family or business ties, during their tenure or for one year thereafter.

V.G.14. **NON-APPROPRIATION OF FUNDS**

Consultant/Contractor acknowledges that funding for this Agreement is conditioned upon appropriation and allocation by the governing body of sufficient funds to support the activities described in this Agreement. By written notice to Consultant/Contractor at the earliest possible date, City may terminate this Agreement, in whole or in part, at any time for lack of appropriation of funds, or other withdrawal, reduction or limitation in any way of the City's budget, funding or financial resources. Such termination is in addition to the City's rights to terminate for convenience or cause. If this Agreement is terminated for non-appropriation: The City will be liable only for payment in accordance with the terms of this Agreement for Work completed and expenses incurred prior to the effective date of termination. The Consultant/Contractor will not be compensated for any other costs in connection with a termination for non-appropriation. The Consultant/Contractor will not be entitled to recover any damages in connection with a termination for non-appropriation, including, but not limited to, lost profits. Consultant/Contractor shall be released from any further obligation to provide Work affected by such termination; and Termination shall not prejudice any other right or remedy available to the City.

V.G.15 **RECORD RETENTION**

All records required to be kept on the project shall be maintained for at least five (5) years after final payments and until all other pending matters under this project have been closed. However, if any audit, litigation or other action arising out of or related in any way to this project is commenced before the end of the five (5) year period, the records shall be retained for one (1) year after all issues arising out of the action are finally resolved or until the end of the five (5) year period, whichever is later.

V.G.16 **CONFIDENTIALITY**

Proprietary or confidential information ("confidential information") developed or disclosed by either party under this agreement shall be clearly labeled and identified as confidential information by the disclosing party at the time of disclosure. Confidential Information shall not be disclosed to the extent allowable by law by the receiving party to any other person except to those individuals who need access to such Confidential Information as needed to ensure proper performance of the Services.

Neither party shall be liable for disclosure or use of Confidential Information which: (1) is or was known by the receiving party at the time of disclosure due to circumstances unrelated to this agreement; (2) is generally available to the public without breach of this agreement; (3) is disclosed with the prior written approval of the disclosing party; or (4) is required to be released by applicable law or court order.

Each party shall return all Confidential Information relating to this agreement to the disclosing party upon request of the disclosing party or upon termination of this agreement, whichever occurs first. Each party shall have the right to retain a copy of the Confidential Information for its internal records and subject to ongoing compliance with the restrictions set forth in this Section. This Section shall survive termination of this agreement.

V.G.17 **SEVERABILITY**

No waiver of any breach of this agreement shall operate as a waiver of any similar subsequent breach or any breach of any other provision of this agreement. If any provision of this agreement is held invalid by a court of competent jurisdiction, such provision shall be severed from this agreement and to the extent possible, this agreement shall continue without affecting the remaining provisions.

V.G.18 **COUNTERPARTS**

This agreement may be executed in counterparts, and the counterparts, taken together, shall constitute the original.

V.G.19 **THIRD PARTY RIGHTS**

No Third Party Rights Created. This contract is intended for the benefit of the City and the Contractor and not any other person.

V.G.20 **PRINCIPLES OF INTERPRETATION AND DEFINITIONS.**

(1) The singular includes the plural and the plural the singular. The pronouns "it" and "its" include the masculine and feminine. References to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation.

References to contracts and agreements shall be deemed to include all amendments to them. The words "include," "including," etc. mean include, including, etc. without limitation. (2) References to a "Section" or "section" shall mean a section of this contract. (3) "Contract" and "Agreement," whether or not capitalized, refer to this instrument. (4) "Duties" includes obligations. (5) The word "person" includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and other legal entities. (6) The word "shall" is mandatory. (7) The word "day" means calendar day. (8) The word "Work" is defined in Section I.A. (9) A definition in this contract will not apply to the extent the context requires otherwise.

V.G.21. **ENTIRE AGREEMENT**

This Agreement, including any Exhibits hereto, contains all the terms and conditions agreed upon by the parties. No promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract shall be deemed to exist or to bind either party hereto.

V.G.22. **HEADINGS**

The headings of the various Articles and Sections herein are for convenience of reference only and shall not form part of this Agreement or define or limit any of the terms or provisions hereof.

V.G.23 **DISCHARGE OF MECHANICS AND MATERIALMEN'S LIEN**

If applicable, the Consultant/Contractor's shall use its best efforts to prevent any liens that arise from the performance of the Work from being filed against the City or Property. If any liens are filed, the Consultant/Contractor's shall prevent any liens from becoming delinquent. Upon completion of the Work and prior to payment by the City, the Consultant/Contractor's shall execute and provide to the City a Release of Liens and Waiver of Claims form.

V.G.24 **PERFORMANCE OF GOVERNMENT FUNCTIONS**

Nothing contained in this Agreement shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

V.G.25 **E-SIGNATURE AUTHORITY**

The parties hereto consent and agree that this agreement may be signed and/or transmitted by facsimile, e-mail of a .pdf document or using electronic signature technology (e.g., via DocuSign or similar electronic signature technology), and that such signed electronic record shall be valid and as effective to bind the party so signing as a paper copy bearing such party's hand written signature. The parties further consent and agree that (1) to the extent a party signs this document using electronic signature technology, by clicking "sign", such party is signing this Agreement electronically, and (2) the electronic signatures appearing on this Agreement shall be treated for purposes of validity, enforceability and admissibility, the same as hand-written signatures.

V.G.26 **CITY MANAGERS AUTHORITY**

To the extent, if any, the City has the power to suspend or terminate this contract or the Consultant/Contractor's services under this Agreement, that power may be exercised by the City Manager or their designee.

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the dates written below and the undersigned hereby warrants and certifies that they have read the Agreement in its entirety, understand it and agree to be bound by all the terms and conditions stated herein. Further, they warrant and certify they are authorized to enter into this Agreement and to execute same on behalf of the parties as the act of the said parties.

SIGNATURE OF CITY

CITY OF GREENVILLE:

BY: _____

SIGNATURE

TITLE

DATE

APPROVED AS TO FORM:

BY: _____
City Attorney or Designee (Designee means Assistant City Attorney)

PRE-AUDIT CERTIFICATION:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

BY: _____ **DATE:** _____
Byron Hayes, Director of Financial Services

ACCOUNT NUMBER 010-01-55-61-000-000-521500

PROJECT CODE (IF APPLICABLE) N/A

[Vendor Signature Page Follows]

A & B Cleaning Service, Inc.

Vendor Number: 7128

Munis Contract # _____

SIGNATURE OF VENDOR

FULL NAME OF VENDOR

(e.g., Limited Liability Company, Organization, Individual Doing Business Under a Firm Name)

VENDOR:

BY: _____
SIGNATURE

TITLE

DATE

**INVITATION TO BID
BID # 22-23-30**

**CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT
BUILDING AND GROUNDS DIVISION
JANITORIAL SERVICES
CITY OF GREENVILLE, NORTH CAROLINA**



Find yourself in good company

Mandatory

**Pre-Bid Meeting: Thursday, February 16, 2023 at 10:00 am
Room 337 of City Hall
200 W. 5th Street, Greenville, NC**

**Bid Due Date: Friday, March 10, 2023 at 2:00 pm
Public Works Department
1500 Beatty Street, Greenville, NC**

Contact Persons:

Questions regarding the bid package:

**Wanda House
Financial Services Manager
Telephone: 252-329-4862
Fax: 252-329-4464
Email: whouse@greenvillenc.gov**

Questions regarding the specifications:

**Michael Turner
Building Facilities Coordinator
Telephone: 252-329-4921
Fax: 252-329-4844
Email: mturner@greenvillenc.gov**

**CITY OF GREENVILLE
ADVERTISEMENT FOR BIDS
“CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT BUILDING AND GROUNDS
DIVISION JANITORIAL SERVICES”**

The City of Greenville, NC is requesting proposals for “Public Works Department Building and Grounds Division Janitorial Services” as listed below. The scope of work will include litter removal, general and specialized cleaning and restocking.

Janitorial Services for: (Monday, Wednesday, Friday)

- Greenville City Hall (200 W. 5th Street)
- Municipal Building (201 W. 5th Street)
- Public Works Complex (1500 Beatty Street)
- Greenville Employee Health Clinic (1400 Brownlea Drive)

Sealed proposals will be received by the City of Greenville until Friday, March 10, 2023 at 2:00 pm at the Public Works Department located at 1500 Beatty Street, Greenville, NC 27835-7207 with the Company Name, Attention: Michael Turner, Building Facilities Coordinator, and the words City of Greenville Public Works Department Janitorial Services Bid written on the outside of the sealed envelope. All bids will be marked with the date and time they are received by reception staff. Bids will not be opened and read aloud at this time but will be reviewed and contracts will be awarded at a later date.

A Mandatory Pre-bid meeting will be held at in Room 337 of City Hall located at 200 W. 5th Street on Thursday, February 16, 2023 at 10:00 am. Site visits to follow the pre-bid meeting. An additional site visit for pre-bid attendees will be available by appointment at 9:00AM on Tuesday, February 21, 2023. Please contact Michael Turner, Building Facilities Coordinator at mturner@greenvillenc.gov to schedule this appointment. The City of Greenville reserves the right to reject any or all bids, waive any informality, and award contracts that appear to be in the City’s best interest. The right is reserved to hold any or all bids for a period of ninety (90) days from the bid opening thereof.

From the date of this advertisement until the date and time the proposals are due, the specifications of the proposed work and/or a complete description of the apparatus, supplies, materials or equipment are, and will continue to be on file, in the office of the City of Greenville Financial Services Manager, 201 W. Fifth Street, Greenville, NC, or at the Public Works Department located at 1500 Beatty Street, Greenville N.C., during regular business hours, and available to prospective bidders. Inquiries regarding the bidding process or documents should be directed to the Financial Services Manager at whouse@greenvillenc.gov or by telephone (252) 329-4862. Minority/Women owned business are encouraged to submit proposals.

Wanda House, Financial Services Manager
City of Greenville
P O Box 7207
Greenville, NC 27835-7207

INSTRUCTIONS TO CONTRACTORS

**Proposal to Provide
Building and Grounds Division Janitorial Service
Location: Greenville N.C.**

- 1. Contractor is to provide verification to the City that the company's employees are covered under worker's compensation insurance coverage prior to beginning work on this contract.**
- 2. It is expressly understood by the contractor offering a proposal after a written notice of award by the City, a written contract or purchase order will be required to be executed, and will serve together with this proposal, these instructions, and any detailed specifications as the entire form of contract between the parties.**
- 3. Each Contractor submitting a proposal is affirming that no official or employee of the City is directly or indirectly interested in this proposal for any reason of personal gain.**
- 4. Sales taxes may be listed on the proposal, but as a separate item. No charge will be allowed for Federal Excise and Transportation Tax from which the City is exempt.**
- 5. Questions regarding the specifications or areas for City of Greenville Public Works Department Building and Grounds Division Janitorial Services Contract shall be directed by email to Michael Turner, Building Facilities Coordinator at mturner@greenvillenc.gov**
- 6. By submitting a proposal for the Contractor to provide City of Greenville Public Works Department Janitorial Services, the Contractor attests that it is in compliance with all items listed in the bid/proposal instructions. Further, the Contractor attests that the City of Greenville accepts no responsibility for any injuries to the firm's employees while on City property performing their duties.**
- 7. Contractor must comply with all local, state, federal laws, and ordinances governing said work including the current Occupational, Safety, and Health regulations.**
- 8. It is expected that this contract will begin around July 1, 2023. However, such starting date is subject to change based on time needed to finalize the contract, or the approval/signature process, or other reasons.**
- 9. No work will be performed at any time without proper supervision. Supervisors name and direct contact information must be provided to Michael Turner, Building Facilities Coordinator at mturner@greenvillenc.gov**

10. All City of Greenville Public Works Department Building and Grounds Division janitorial services must be performed between the hours of 5pm and 11pm.
11. The Contractor shall accompany a designated representative(s) of the City on inspections of work at any time during the contract period. The City reserves the right to make determinations as to whether service is performed satisfactorily. Deficiencies in work performance must be corrected immediately.
12. The City reserves the right to add or delete similar items/services specified in the proposal as requirements change during the period of the contract. Prices for items/services to be added or deleted from contract will be mutually agreed upon by the City of Greenville and the Contractor. A contract amendment will be issued for each addition or deletion.
13. The Contractor shall not have the right to subcontract any part of its obligations and service requirements without the prior written authorization of the City. This authorization may be given by the Director of Public Works or designee. If any part of this work under this agreement is sublet, the subcontractor shall be required to meet all insurance requirements set forth in the Agreement. The parties stipulate that the Company will maintain each type of insurance set forth in the Agreement at a coverage equal to the amount set forth for each type of insurance. However, nothing contained herein shall relieve the Company from meeting all insurance requirements or otherwise being responsible for the subcontractor.
14. The Contractor shall maintain a copy, and provide the City a copy, of SDS sheets for all chemicals used in this janitorial contract. An updated copy shall also be provided at all locations. All bottles with cleaning products are to be properly labeled and cleaning equipment shall be maintained properly.
15. The use of smoking materials and tobacco products is prohibited in City of Greenville buildings.
16. The Contractor shall be responsible for any lost keys, card keys and inherent damages (ex. Re-keying of facility). This cost shall be withheld from payment(s).
17. The Contractor's employees are not to be accompanied in their work areas on the premises by acquaintances, family members, assistants or any other person unless said person is an authorized working Contractor employee.
18. The Contractor shall furnish all labor, cleaning supplies, rags and equipment necessary to perform the services. The City will provide materials for the City's use to include toilet paper, paper towels, trash can liners and soap for the dispensers.
19. The Contractor shall not prop any exterior doors open while inside cleaning and must maintain security at all times.

**CITY OF GREENVILLE
PUBLIC WORKS DEPARTMENT
SPECIFICATIONS FOR
CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT JANITORIAL SERVICES**

1.0 SCOPE:

- 1.1 The scope of work shall include litter removal, general and specialized cleaning and restocking for this contract. Floor plans for these areas are listed as Exhibit "B".**
- 1.2 The total bid amount per building shall be included on the Request for Bid sheet as indicated.**

2.0 GENERAL:

- 2.1 Areas of work are to be started and completed within a week period (Monday-Friday). Areas are to be serviced on Monday, Wednesday and Friday from 5pm to 11pm.**
- 2.2 All janitorial services shall be completed in a professional manner and shall conform to these specifications. The City reserves the right to make determinations as to whether service is performed satisfactorily. Deficiencies in work performance must be corrected immediately.**
- 2.3 Failure of the contractor to meet or perform work to these specifications as determined by the Public Works Department shall warrant written notice to the contractor specifying areas of nonperformance or unacceptable performance and the contractor shall have ten (10) days to rectify. Immediate cancellation of the contract or purchase order may occur if performance is not rectified in ten (10) days.**
- 2.4 Within seven (7) days of notice to proceed, the contractor must be prepared to begin work on the awarded sites.**

3.0 JANITORIAL SERVICES: AT ALL LOCATIONS

Each Service day (Monday, Wednesday, Friday):

- 3.1 Trash and recycle containers will be emptied and returned to their original locations. Plastic liners will be installed at least once per week. All trash will be taken to the dumpsters located at the rear of City Hall and the rear of Public Works respectively.**
- 3.2 Sweep and/or dust mop all floor surfaces**
- 3.3 Vacuum all carpeted areas**
- 3.4 Dust telephones, desks, chairs, tables, counters, file cabinets and other office furniture**
- 3.5 Dust all ledges and other flat surfaces nine (9) feet in height and lower**
- 3.6 Remove fingerprints from woodwork, walls, entrance doors and partitions**
- 3.7 Clean restrooms, shower fixtures and disinfect all sinks, toilets, urinals, floors, fixtures, mirrors, baby changing stations and privacy partitions within each restroom**
- 3.8 Clean and refill all restroom dispensers from stock**
- 3.9 Wash restroom walls and scrub floors around urinals to remove stains from the tile and grout**
- 3.10 Wash and disinfect all drinking fountains**
- 3.11 Sweep and/or dust stairs, landings, handrails and baseboards**
- 3.12 Sweep or vacuum elevator floors**
- 3.13 Clean exterior entrances, lobbies and entrance mats**
- 3.14 Wash exterior and interior of entrance glass doors**
- 3.15 Keep janitor closets clean and orderly**
- 3.16 Leave only designated night lights on**
- 3.17 Check windows and doors upon completion of work. Make sure buildings are secure before leaving the premises. *Do not prop exterior doors open at any time for any reason(s).***
- 3.18 Spot clean carpet as necessary**
- 3.19 Clean and disinfect all kitchen and break room sinks and fixtures**
- 3.20 Clean all microwaves, counters and tables in break rooms**
- 3.21 Clean all elevator doors**
- 3.22 Clean all exterior walkways and porches at Greenville Employee Health Clinic**
- 3.23 Sanitize and disinfect exercise equipment and mats in Room #332 at City Hall**

One Service day per week:

- 3.24 Clean and sanitize all indoor furniture
- 3.25 Wash all door frames
- 3.26 Dust all metal hardware throughout the offices
- 3.27 All stair and horizontal handrails on stairways must be wiped down, disinfected and polished
- 3.28 Clean pictures, diploma frames and glass coverings
- 3.29 Clean and polish all bright metal
- 3.30 Dust computer monitors and keyboards
- 3.31 Disinfect all chair arms and table surfaces in Council Chambers and conference rooms
- 3.32 Clean interior glass windows at all offices and inside of exterior glass

One Service day per month:

- 3.33 Clean and sanitize all wastebasket containers
- 3.34 Dust or vacuum air grills
- 3.35 Vacuum all upholstered chairs
- 3.36 Clean inside of exterior glass in atrium area at City Hall that is within nine (9) feet and lower
- 3.37 Deep clean all sinks to remove hard water stains
- 3.38 Dust the top of all partitions in all offices
- 3.39 Clean all baseboards throughout each building

Note: The Contractor shall be required to submit a maintenance plan in writing via email to Michael Turner at mturner@greenvillnc.gov by the 20th of each month for the upcoming month. The City will respond with any questions, comments or concerns prior to the end of the month the maintenance plan is submitted. The maintenance plan must have the following components at a minimum:

- Daily, Weekly, and Monthly tasks, as well as, the previous month's completed tasks

4.0 PAYMENT AND BID:

- 4.1 The attached bid sheet details the bid entries required. Each contract bid sheet line item shall be filled in as directed.**
- 4.2 The contract period will be from approximately July 1, 2023 to June 30, 2024. The City reserves the right to extend the contract annually for up to a total of two (2) additional years if the City and contractor agree in writing. Upon successful completion of year one (1) of this contract, per specifications and directives, and at the written request by the Contractor at least 30 days prior to the renewal date of this contract, the Contractor may be eligible for a 3% annual increase for year two (2) and year three (3). Each request MUST be in writing and submitted at least 30 days prior to the contract renewal date for each year of the request in order to receive the 3% increase. This request for increase will be reviewed and approved by the Director of Public Works (or their Designee) and the Contractor will be notified in writing of these changes.**
- 4.3 Payment will be made by the City to the contractor on a monthly basis for the work completed within the previous month. The invoice is expected prior to the 10th of each month. The City will render payment within thirty days of receipt of an approved invoice.**
- 4.4 Bidders will comply with all local, state, federal laws, and any ordinances governing said work including the current Occupational Safety and Health regulations.**
- 4.5 By submitting a proposal, the firm is attesting that they are an Equal Opportunity Employer.**
- 4.6 The City of Greenville has adopted an Affirmative Action Program. Firms submitting a proposal are attesting that they also have taken affirmative action to insure equality of opportunity in all aspects of employment.**
- 4.7 Minority and/or Women Business Enterprise (M/WBE) Program**

It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with this policy, the City has adopted a Minority and Women Business Enterprise (M/WBE) Plan and subsequent program, outlining verifiable goals.

The City has established a 4% Minority Business Enterprise (MBE) and 4% Women Business Enterprise (WBE) goal for the participation of M/WBE firms in supplying goods and services for the completion of this project.

All firms submitting bids agree to utilize minority and women-owned suppliers and service providers whenever possible.

Questions regarding the City's M/WBE Program should be directed to Tish Williams, M/WBE Coordinator, at (252) 329-4462 or tfwilliams@greenvillenc.gov.

4.8 Equal Employment Opportunity Clause

The City has adopted an Equal Employment Opportunity Clause, which is incorporated into all specifications, purchase orders, and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin or ancestry. By submitting qualifications and/or proposals, the firm is attesting that they are an Equal Opportunity Employer.

Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

- 4.9** The City of Greenville reserves the right to award to the Firm who will best serve the interests of the City. The City also reserves the right to waive minor variations in the specifications and in the bidding process, as well as to accept in whole or in part such proposal(s) where it deems it advisable in protection of the best interests of the City. The City further reserves the right to accept or reject any or all bids/proposals, and to award or not award a contract based on this proposal.

- 4.10** Contractor must complete a new Vendor self-service profile, or update existing Vendor profile, and any other associated documents as required upon acceptance of this janitorial contract.

5.0 WORKERS COMPENSATION AND INSURANCE:

- 5.1** The Contractor shall maintain during the life of this contract, Worker's Compensation Insurance for all employees working at the project site under this contract, or as otherwise required by North Carolina General Statutes.
- 5.2** The Contractor shall have in place for the life of this contract public liability and property damage insurance and shall protect the City of Greenville from

claims for damage or personal injury, which may arise from operations under this contract. The amounts of such insurance shall not be less than \$500,000 for injuries subject to the same limit per person and \$1,000,000 for property damage or otherwise needed to protect the interests of the owner. The Contractor awarded this contract is to provide prior to beginning work, a Certificate of Insurance showing the City of Greenville named as an additionally insured on all coverage. Certificate of insurance must be emailed to Michael Turner, Building Facilities Coordinator at mtturner@greenvillenc.gov and be maintained on file during the contract period. All insurance must be maintained during the duration of the contract.

- 5.3 The Contractor shall furnish such additional insurance as may be required by the General Statutes of North Carolina, including motor vehicle insurance in amounts not less than statutory limits.
- 5.4 Each certificate of insurance shall bear the provision that the policy cannot be altered or canceled in less than ten (10) days after mailing written notice to the assured of such alteration or cancellation, sent by registered mail.
- 5.5 The Contractor shall furnish the Owner with satisfactory proof of insurance required before beginning work on this contract. Executed contract documents, insurance certifications, invoices and other information requested, are to be sent to:

Michael Turner
 Building Facilities Coordinator
 City of Greenville
 Public Works Department
 1500 Beatty Street
 Greenville, N.C. 27834
 Email: mtturner@greenvillenc.gov

6.0 DAMAGE TO CONTRACTORS PROPERTY:

- 6.1 Should fire, theft, vandalism or other casualty, damage or destroy the equipment or property belonging to the Contractor while on City property, the City shall be under no obligation to replace or in any way compensate the contractor for said property.
- 6.2 The successful bidder agrees to indemnify or hold harmless the City from and against any liability, loss, cost, damage suit, claim, or expense arising occurrence on the part of the successful bidder to include its officers, servants, agents or employees arising from its activities, operations, and performance of services while on City property and further agrees to release and discharge City and its Agents from all claims or liabilities arising from or caused by the successful bidder in fulfilling its obligations under this Agreement.

- 6.3** It is understood and agreed by the parties that City will assume no liability for damages, injury, or other loss to the successful bidder, its employees or property, tool or equipment, or to other persons or properties located on City facilities resulting from the successful bidder's activities and operations while performing those service enumerated herein.

7.0 AMENDMENTS, ADDENDA, OR QUESTIONS:

- 7.1** Addendum: Any changes to the specifications will be issued as a written addendum. No oral statements, explanations, or commitments by whosoever shall be of any effect. Any issued addenda will be posted on the City's bid advertisement site. The prospective contractor must acknowledge reading each addenda on the bid sheet.
- 7.2** Amendment: The contract may be amended from time to time through written agreement by both parties.
- 7.3** Any questions regarding these bid specifications must be sent by email to mturner@greenvillenc.gov.
- 7.4** Schedule for questions and addenda:

Last date to submit a question: Friday, February 24, 2023 by 5 p.m.
 Questions will be answered via addenda posted on the City's website by:
 Friday, March 3, 2023 by 5 p.m.

8.0 LOCAL PREFERENCE AND SERVICE POLICIES:

- 8.1** The City of Greenville has adopted a Local Preference Policy, Resolution No. 056-13, and a Professional and other Services Policy, Resolution No. 057-13 that will pertain to this project. For more information, please see www.greenvillenc.gov/government/financial-services/purchasing on the City of Greenville's webpage.

9.0 E-VERIFY COMPLIANCE:

- 9.1** The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. The Contractor represents that the Contractor and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
- 9.2** BIDDER acknowledges that compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes is required by the Contractor

and its Subcontractors by North Carolina law and the provisions of the Contract Documents. The BIDDER represents that the BIDDER and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Article 2 of Chapter 64 of the North Carolina General Statutes requires employers, that transact business in the State of North Carolina and employ 25 or more employees in the State of North Carolina, to electronically verify the legal employment status of an employee through the federal E-Verify program after hiring the employee to work in the State of North Carolina.

10.0 IRAN DIVESTMENT ACT:

10.1 Vendor certifies that it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. The vendor will not utilize on the contract any subcontractor that is listed on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

11.0 NON-DISCRIMINATION:

11.1 The City of Greenville does not discriminate on the basis of race, color, sex, national origin, religion, age or disability. Any contractors or vendors who provide services, programs or goods to the City are expected to fully comply with the City's non-discrimination policy.

12.0 NON-COLLUSION:

12.1 Respondents, by submitting a signed proposal, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under North Carolina or United States law.

13.0 FEDERAL LAW:

13.1 Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

14.0 WITHDRAWAL OF PROPOSALS:

14.1 No bid/proposal may be changed or withdrawn after the stated time and date for submittal. Bids/proposals submitted shall be binding for ninety (90) days after the date of submittal.

15.0 REFERENCE INFORMATION:

- 15.1 All bidders must provide a list of three (3) client references of similar facilities cleaned or other related janitorial projects. The reference information must include the company's name, a contact person's name with his or her title and their telephone number. Please provide the information on the "Contractor Reference Information" sheet and attach with the bid sheet.**

16.0 CONTRACTOR INFORMATION:

- 16.1 Please provide the information on the "Contractor Data Form" and attach with the bid sheet. All information should be accurate and detailed in description.**

17.0 APPROXIMATE SQUARE FOOTAGE OF FLOOR COVERING AT EACH LOCATION:

Building	Carpet	LVT	VCT	Ceramic Tile	Terrazo
City Hall	30,000	---	6,800	4,500	---
Municipal Building	20,480	---	2,621	3,637	---
PWD Building A	4,567	2,650	---	864	4,971
PWD Building B	---	---	---	349	---
PWD Building C	1,217	15	793	50	---
PWD Building D	---	---	312	---	---
PWD Building E	---	63	---	---	---
Health Clinic	784	---	1,064	168	---

***Note: These are approximate square footages and are in no way reflective of any actual measurements. Contractor is responsible for their own measurements when entering a bid price for this contract.**

***Note: All VCT floors will receive only damp mop and water when mopping floors. No chemicals are to be used on any VCT floor at any location.**



Contractor Reference Information

1. **Company name:** _____
 Contact person: _____
 Title: _____ **Phone No.** _____

2. **Company name:** _____
 Contact person: _____
 Title: _____ **Phone No.** _____

3. **Company name:** _____
 Contact person: _____
 Title: _____ **Phone No.** _____

****Include with bid package****



Contractor Data Form

Company Name: _____

Address: _____

Phone Number: _____ **Mobile Phone Number:** _____

Company Owner: _____ **Company Owner Phone Number:** _____

Authorized Company Representative submitting bid: _____

Title: _____

Phone Number of Authorized Representative: _____

Email: _____

Description of equipment and performance plan you plan to utilize to perform this contract. Also include the number of employees you plan to utilize to complete this contract. Attach additional sheet or continue on back if needed.

****Include with bid package***



REQUEST FOR BIDS

In compliance with the request for bids by the City of Greenville and subject to all conditions and specifications thereof, the undersigned offers and agrees to furnish all equipment and labor as provided in the above mentioned specifications.

<u>Description</u>	<u>Bid</u>
A. Greenville City Hall bid per Month	_____
B. Municipal Building bid per Month	_____
C. Public Works Complex bid per Month	_____
D. Employee Health Clinic bid per Month	_____
E. Total Bid per Month (See Calculation below)	_____

Addendum Acknowledgement:

Please record each Addendum Number Received: _____

***Note: Calculation for Total Bid per Month (A + B + C + D = E)**

Please provide a breakout price for:

- 1. All non-carpeted floors are to be machine scrubbed and appropriate wax or floor treatment reapplied**

Company Name: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

****Include with bid package****

STATE OF NORTH CAROLINA
CITY OF GREENVILLE

AFFIDAVIT

I, _____ (the individual attesting below), being duly authorized by and on behalf of _____ (the entity bidding on project hereinafter "Employer") after first being duly sworn hereby swears or affirms as follows:

1. Employer understands that E-Verify is the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with NCGS §64-25(5).
 2. Employer understands that Employers Must Use E-Verify. Each employer, after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS§64-26(a).
 3. Employer is a person, business entity, or other organization that transacts business in this State and that employs 25 or more employees in this State. (Mark Yes or No)
 - a. YES _____, or
 - b. NO _____
 4. Employer's subcontractors comply with E-Verify, and if Employer is the winning bidder on this project Employer will ensure compliance with E-Verify by any subcontractors subsequently hired by Employer.
- This ____ day of _____, 20__.

Signature of Affiant
Print or Type Name: _____

State of North Carolina City of Greenville

Signed and sworn to (or affirmed) before me, this the ____

Day of _____, 20__.

My Commission Expires:

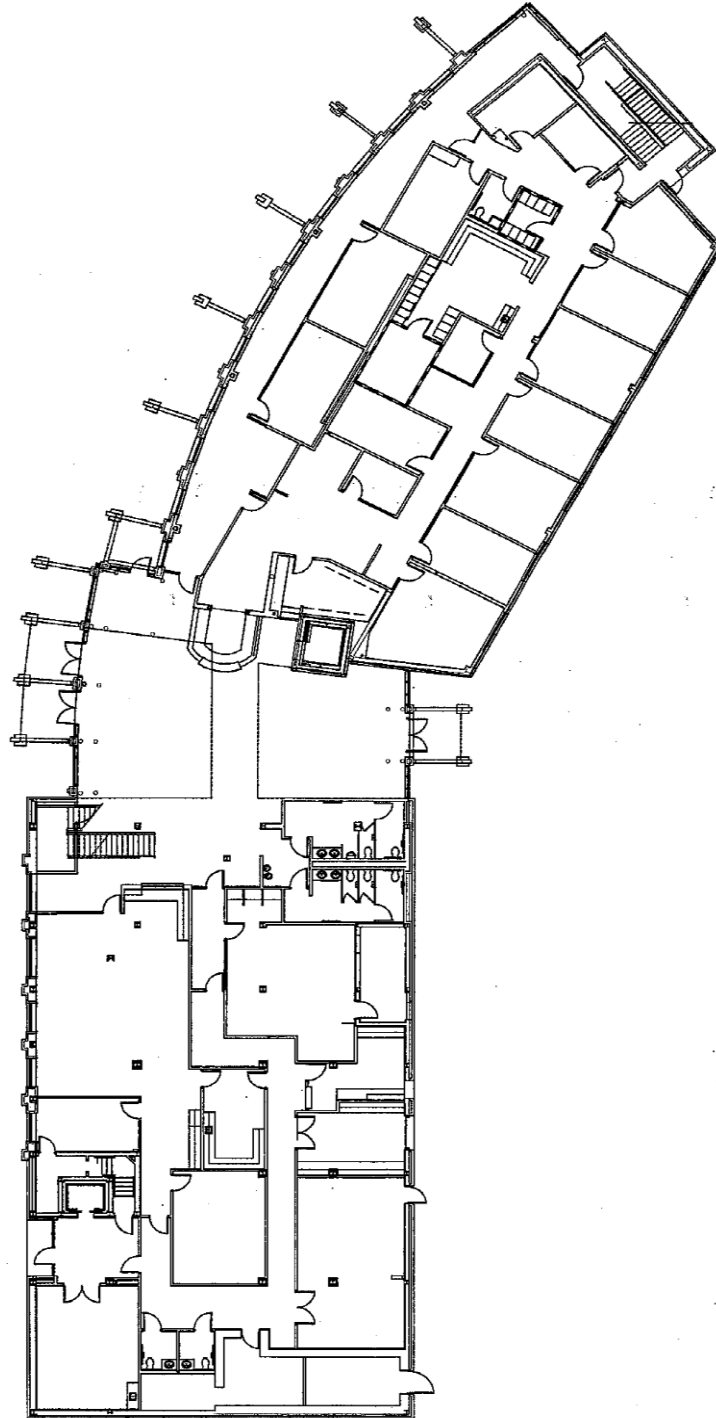
Notary Public

(Affix Official/Notarial Seal)

****Include with bid package****

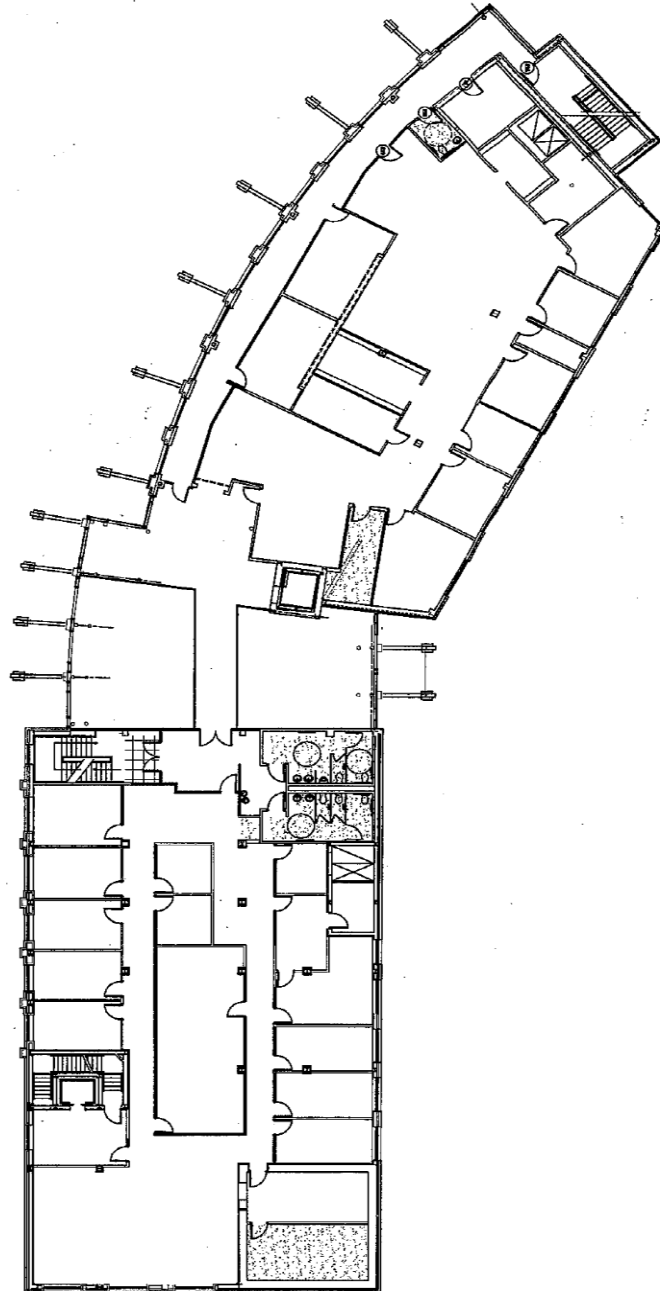
City Hall (1st Floor)

Layout not exact
Not to Scale



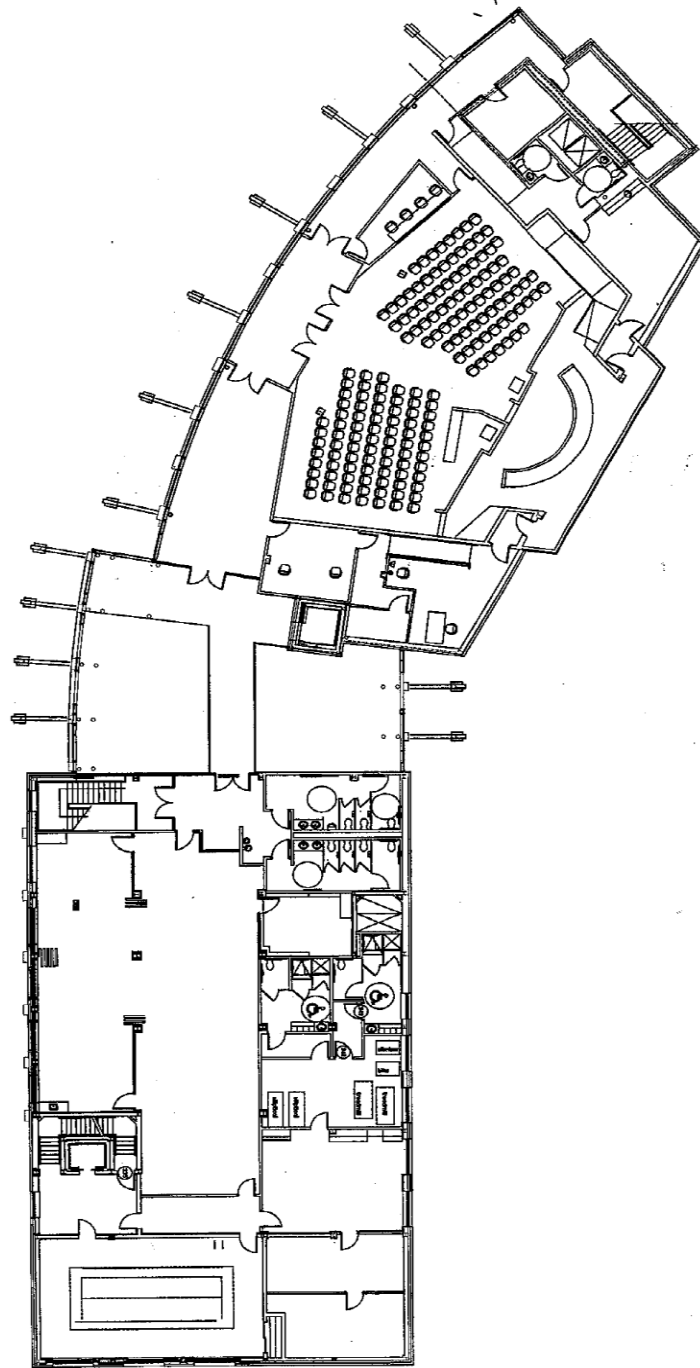
City Hall (2nd Floor)

Layout not exact
Not to Scale



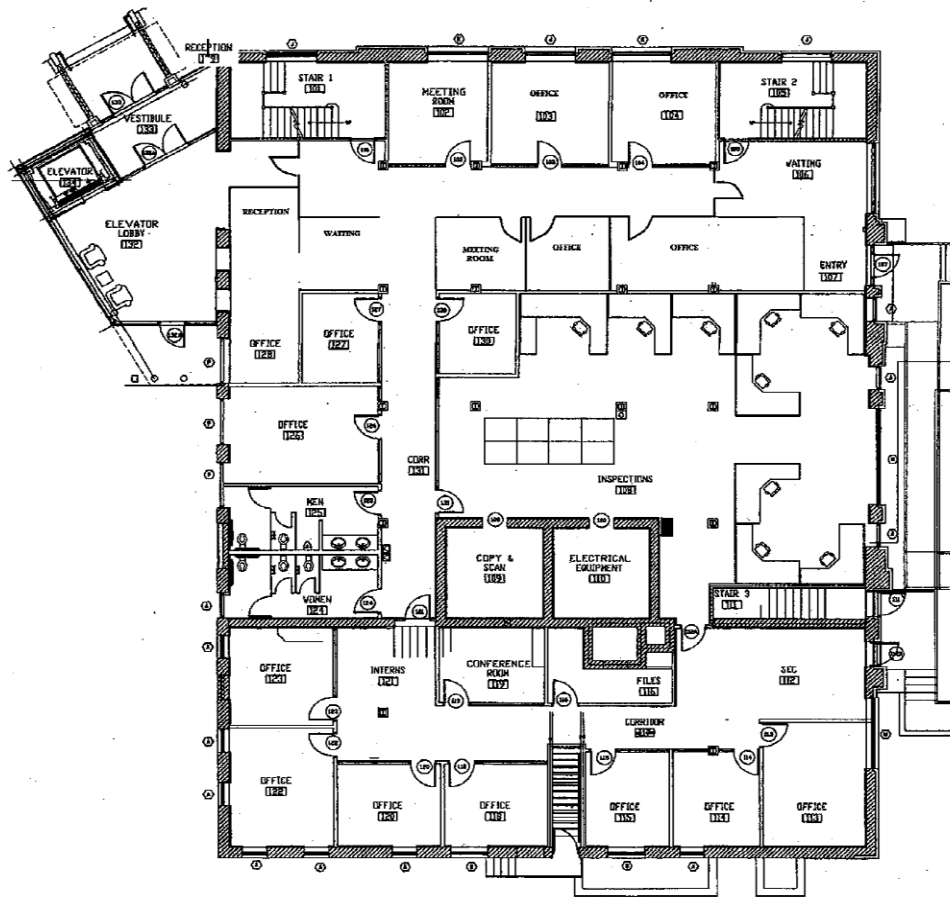
City Hall (3rd Floor)

Layout not exact
Not to Scale



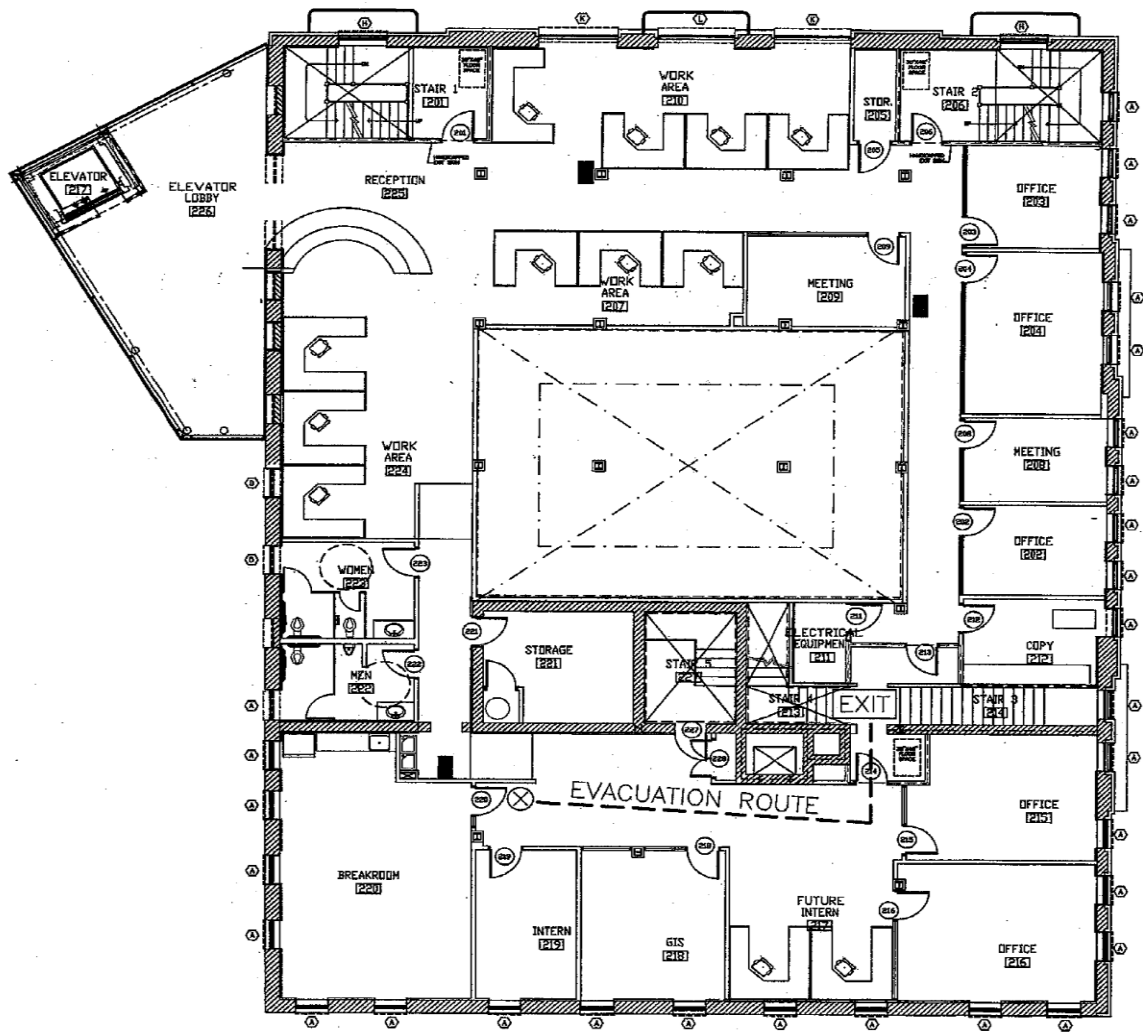
Municipal Building (1st Floor)

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Not to Scale



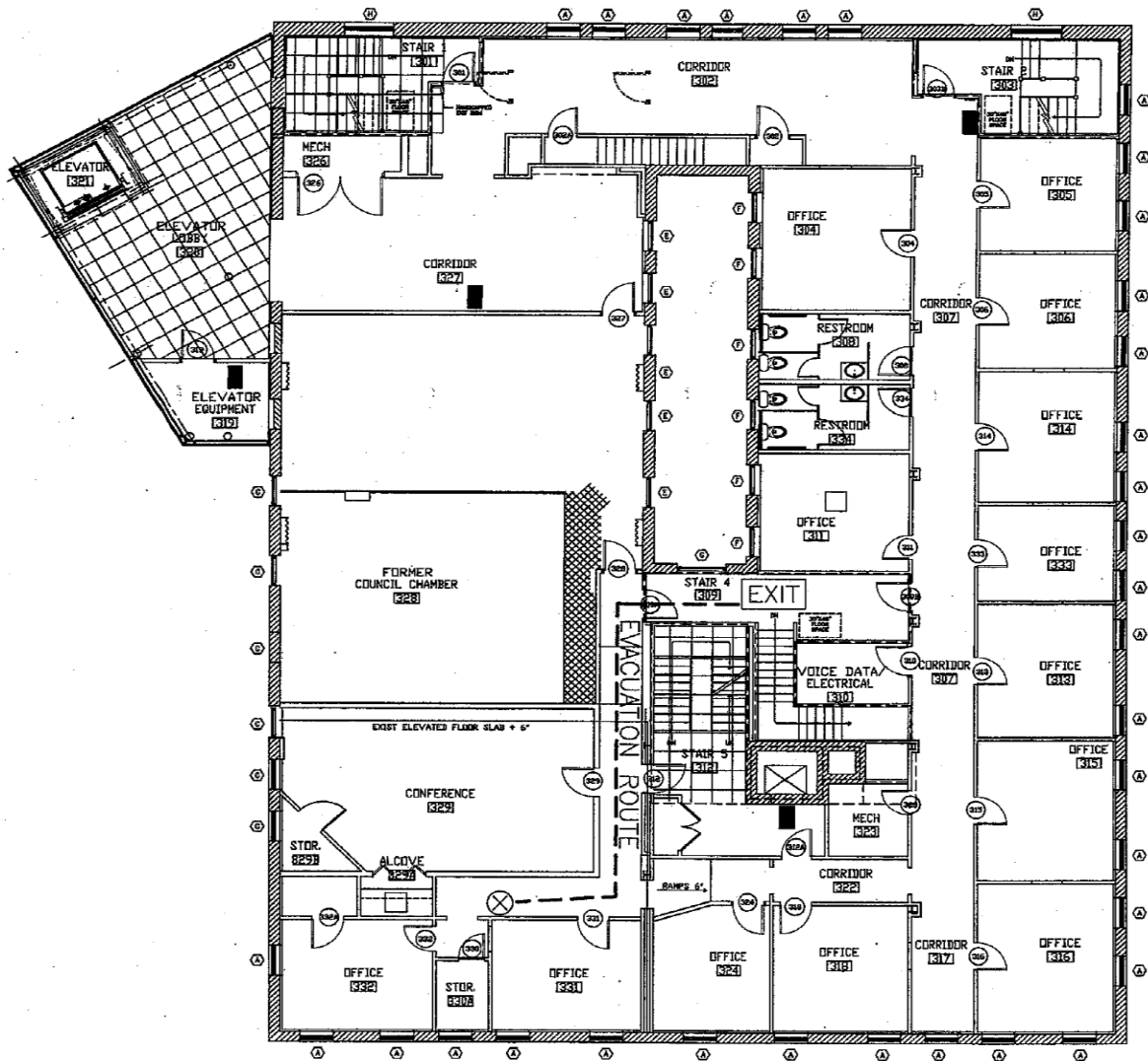
Municipal Building (2nd Floor)

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Not to Scale



Municipal Building (3rd Floor)

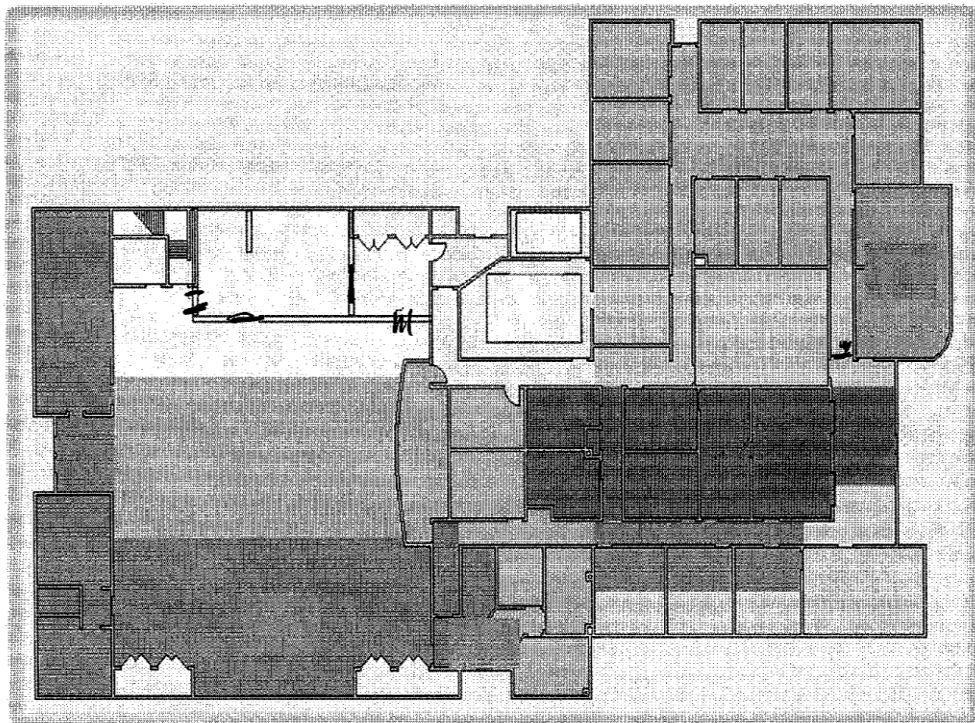
Layout not exact
Not to Scale



Public Works Building A

Layout not exact
Not to Scale

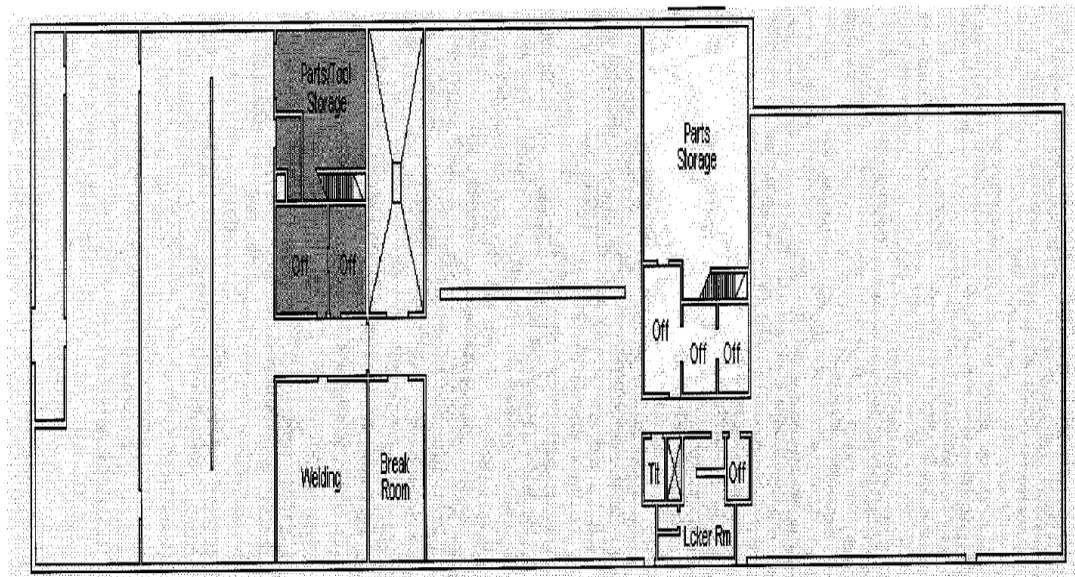
Public Works Administration – Building A



Public Works Building B

Layout not exact
Not to Scale

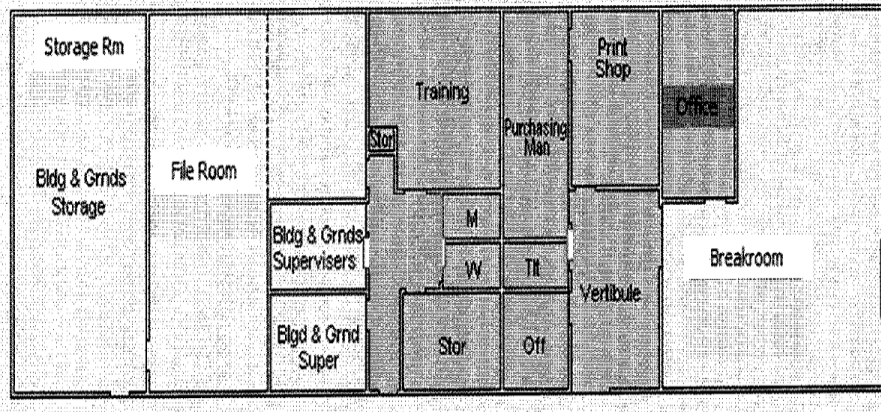
Public Works Fleet Maintenance – Building B



Public Works Building C

Layout not exact
Not to Scale

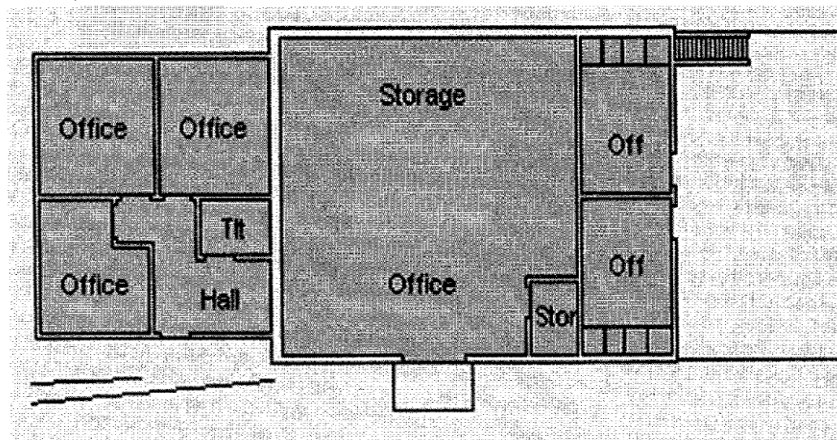
Public Works Building and Grounds – Building C



Public Works Building D

Layout not exact
Not to Scale

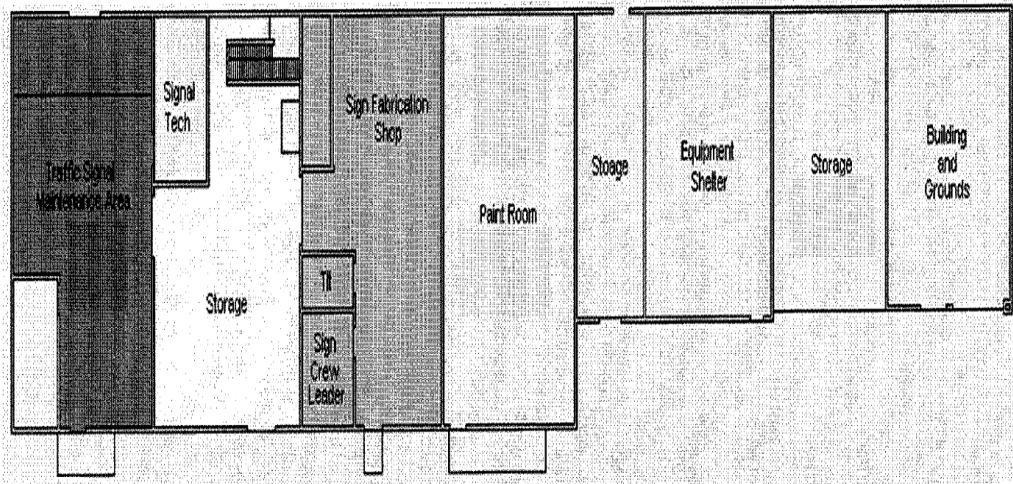
Public Works Streets Maintenance – Building D



Public Works Building E

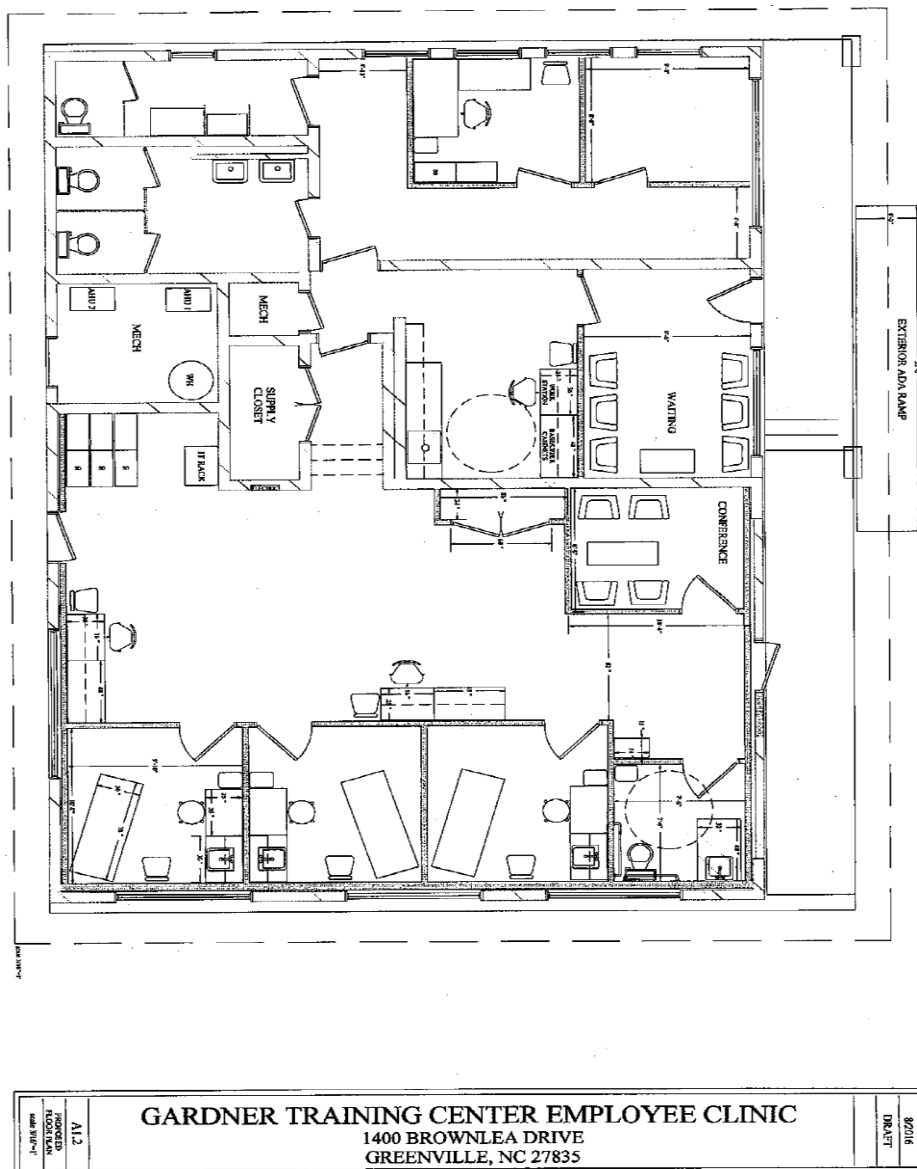
Layout not exact
Not to Scale

Public Works Traffic Services – Building E



City of Greenville Employee Health Clinic

Layout not exact
Not to Scale



Contract Exhibit "B"

City of Greenville
Local Bidder's Certification Form
Page -3-

INFORMATION FOR APPLICANTS

shall apply to any City contract as described in Section 4 of the City of

An Eligible Local Bidder must complete the Bidder's Certification for Purchasing Manager with or prior to the submittal of the bid or proposal. The Form shall be required to be updated by a bidder (i) when matters are changed and/or (ii) when notified by the Purchasing Manager that a periodic

updating Certifications. If at any time during or after the procurement process, the City determines that certifications or information in the Bidder's Certification for Local Preference Form are false, substantially inaccurate or misleading, the City Manager or designee may:

- (1) Cancel the Eligible Local Bidder's contract and/or purchase order that was awarded based on the preference: The Eligible Local Bidder shall be liable for all costs it incurs as a result of the cancellation and all increased costs of the City that may be incurred by awarding the contract to the next lowest bidder;
- (2) Exclude the bidder from any preference in any future City bidding opportunities for a period of time determined by the City Manager or designee; and/or
- (3) Debar the bidder from doing business with the City for a period of time determined by the City Manager or designee.

SECTION FOUR

CERTIFICATION

The undersigned, Man - Mylen (name), being the PRESIDENT (title), of the business named on this Bidder's Certification for Local Preference Form, do hereby submit on behalf of the business named herein the Bidder's Certification for Local Preference Form in order to qualify for a local preference in accordance with the City of Greenville Local Preference Policy and do, further, hereby certify as follows:

- (1) that I am the person authorized by the business named herein to file this Form;
- (2) that the information provided in this Form and any accompanying documentation is true, correct, and complete;
- (3) that the business named herein has paid and is current on any applicable City of Greenville privilege license fees and on property taxes in the City of Greenville; and
- (4) that I understand that there is a requirement that the business named herein update this Form in the event any information certified to in this Form materially changes.

Signature: Man - Mylen Date: 3/10/2023

FOR INTERNAL USE ONLY:

Form Reviewed By: _____	Date: _____
Office or Store Located in City or ETJ _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Office or Store 500 Sq.ft. or More _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Office or Store with 3 Employees or More _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Office Located in Residence for 1 Year or More _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Privilege License Current: _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Property Taxes Current: _____ Yes _____ No _____ N/A	Verified By: _____ Date: _____
Application Approved : _____	Date: _____
Application Denied: _____	Date: _____



REQUEST FOR BIDS

In compliance with the request for bids by the City of Greenville and subject to all conditions and specifications thereof, the undersigned offers and agrees to furnish all equipment and labor as provided in the above mentioned specifications.

Description

Bid

A. Greenville City Hall bid per Month

2601.00

B. Municipal Building bid per Month

1485.00

C. Public Works Complex bid per Month

1100.00

D. Employee Health Clinic bid per Month

200.00

E. Total Bid per Month (See Calculation below)

5386.00

Addendum Acknowledgement:

Please record each Addendum Number Received: 1

*Note: Calculation for Total Bid per Month (A + B + C + D = E)

Please provide a breakout price for:

1. All non-carpeted floors are to be machine scrubbed and appropriate wax or floor treatment reapplied

\$.30 / sq Ft

Company Name: A-B Cleaning Service Inc

Signed: Marvin McLesser

Print Name: Marvin McLesser

Title: President

Date: 3/10/2023

****Include with bid package****



Find yourself in good company

FINANCIAL SERVICES/PURCHASING DIVISION

P.O. Box 7207
201 West 5th Street
Greenville, NC 27858

Telephone: (252) 329-4664

Fax: (252) 329-4464

Internet Home Page: www.greenvillenc.gov

BIDDER'S CERTIFICATION FOR LOCAL PREFERENCE FORM

SECTION ONE			
Business Name/DBA:			
Physical Address: 610 B LYNDALE COURT			
City: GREENVILLE	State: NC	Zip Code: 27958	
Telephone Number: 252-259-4649	Fax Number:	Email: aandbcleaning113@msn.com	
Business Type (Please check one) : <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> LLC <input type="checkbox"/> Other:			
Office or Store Location Within the Corporate Limits or Extraterritorial Jurisdiction of the City of Greenville:			
Physical Address: 610 B LYNDALE COURT			
City: GREENVILLE	State: NC	Zip Code: 27958	
Telephone Number: 252-259-4649	Fax Number:	Email: aandbcleaning113@msn.com	
Business Owner or Position: Check one:			
<input type="checkbox"/> Owner (Sole Proprietorship) <input type="checkbox"/> Partner (Partnership) <input type="checkbox"/> Manager (LLC) <input checked="" type="checkbox"/> Officer (Corporation)			
Name and Title: MARVIN MCKESSON			
Address: 610 B LYNDALE COURT			
City: GREENVILLE	State: NC	Zip Code: 27958	
Telephone Number: 252-259-4649	Fax Number:	Email: aandbcleaning113@msn.com	
Product(s) and/or Service(s) Please list the type of products and/or services that your company can provide:			
JANITORIAL SERVICES			
Please check one category of work, which best describes the products and/or services that your company provides. NOTE: Professional Services includes architectural, engineering, surveying, construction manager at risk, et cetera and those that are of a consulting nature.			
<input type="checkbox"/> Construction <input checked="" type="checkbox"/> Professional Services <input type="checkbox"/> General Services <input type="checkbox"/> Supplies & Materials			

Doc#971834

SECTION TWO

To be certified as an Eligible Local Bidder, a potential bidder must satisfy at least one of the following criteria listed below. Please select which of the following criteria you satisfy to apply for certification as an Eligible Local Bidder. Additional documentation must be submitted with this application to verify that you satisfy the selected criteria.

- ☐ 1. Have an office or store from which all or a portion of its business is directed or managed and which is located within the corporate limits or extraterritorial jurisdictional area of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
- ☐ 2. Have an office of store located within the corporate limits or extraterritorial jurisdictional area of the City of Greenville and have at least three (3) employees who are based and working out of said office or store; or
- ☐ 3. Have an office from which all or a portion of its business is directed or managed for a period of at least one (1) year and which is located within a residence that is the residence of the owner of the bidder and this is within the corporate limits or extraterritorial jurisdictional area of the City of Greenville as allowed by the Zoning Ordinance. For the purpose of this subsection, the owner of the bidder means a person who has an ownership interest of at least fifty percent (50%) in the legal entity which is the bidder or, if the bidder is an individual, the individual person.
- ☐ 4. **(For Service Contracts Only)** Have an arrangement with one or more firms or companies that qualify as an Eligible Local Bidder pursuant to 1, 2 or 3 above to subcontract with said firms or companies to perform at least twenty-five percent (25%) of the dollar value of the work to be performed pursuant to the service contract, if the bidder is awarded the contract.

Additional Instructions for Completing this Form

For the criteria you selected in Section Two, the City requires that you submit the following supporting documentation with this Form:

Property Taxes

To qualify as an Eligible Local Bidder, you must have paid and be current on any City of Greenville property taxes. Please be advised that by signing this form, you are certifying that all City of Greenville property taxes owed by the business have been paid and are current.

Office or Store Size

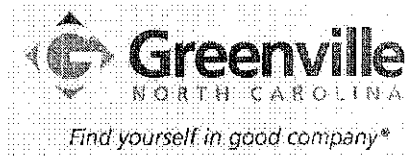
If you are applying for certification on the basis of 1 above, please provide a sketch of the office or store demonstrating approximate dimensions and square footage.

Employees

If you are applying for certification on the basis of 2 above, please provide a listing of the employees working at the store located within the corporate limits or extraterritorial jurisdictional area of the City of Greenville. Please provide the names, addresses and telephone number for each of the employees.

Arrangements with Other Firms or Companies

If you are applying for certification on the basis of 4 above, please provide an explanation of the arrangement with the firms or companies which qualify as an Eligible Local Bidder including the names of the firms or companies, a description of the work to be performed by the firms or companies, and an estimated dollar value of the work to be performed by the firms or companies.



Contractor Reference Information

1. Company name: BEAUFORT COUNTY SOUTH CAROLINA
 Contact person: DAVE THOMAS
 Title: PURCHASING DIRECTOR Phone No. 843-912-8217
dthomas@bcgov.net

2. Company name: GREENVILLE VA HEALTH CENTER
 Contact person: MARK
 Title: Mgr Phone No. 336-705-7153

3. Company name: VIRANT HEALTH
 Contact person: MATT WILLIAMS
 Title: Mgr Phone No. 252-717-3012
mtwillia@viranthealth.com

****Include with bid package****

1. The first part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

2. The second part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

3. The third part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

4. The fourth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

5. The fifth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

6. The sixth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

7. The seventh part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

8. The eighth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

9. The ninth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.

10. The tenth part of the paper discusses the importance of the study of the history of the world, and the role of the study of the history of the world in the development of the human mind.



Contractor Data Form

Company Name: A & B CLEANING SERVICE INC

Address: 610 B LYNDAL COURT

Phone Number: 252-258-4649 Mobile Phone Number: 252-258-4649

Company Owner: MARVIN MCKESSON Company Owner Phone Number: 252-258-4649

Authorized Company Representative submitting bid: MARVIN MCKESSON

Title: PRESIDENT

Phone Number of Authorized Representative: 252-258-4649

Email: aandbcleaning113@msn.com

Description of equipment and performance plan you plan to utilize to perform this contract. Also include the number of employees you plan to utilize to complete this contract. Attach additional sheet or continue on back if needed.

PLEASE REFER TO ATTACHED QUALITY CONTROL PLAN AND
EQUIPMENT LIST IN PROPOSAL PROVIDED

A & B CLEANING SERVICE INC PLANS TO UTILIZE
10 PEOPLE

****Include with bid package***

STATE OF NORTH CAROLINA

AFFIDAVIT

CITY OF GREENVILLE

I, Marvin McGesso (the individual attesting below), being duly authorized by and on behalf of A.B. Cleaning Service (the entity bidding on project hereinafter "Employer") after first being duly sworn hereby swears or affirms as follows:

1. Employer understands that E-Verify is the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with NCGS §64-25(5).
 2. Employer understands that Employers Must Use E-Verify. Each employer, after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a).
 3. Employer is a person, business entity, or other organization that transacts business in this State and that employs 25 or more employees in this State. (Mark Yes or No)
 - a. YES ☒, or
 - b. NO ☐
 4. Employer's subcontractors comply with E-Verify, and if Employer is the winning bidder on this project Employer will ensure compliance with E-Verify by any subcontractors subsequently hired by Employer.
- This 10 day of March, 2023

Marvin McGesso
 Signature of Affiant
 Print or Type Name: Marvin McGesso

State of North Carolina City of GreenvilleSigned and sworn to (or affirmed) before me, this the 10thDay of March, 2023My Commission Expires: 09/17/2025Donna S. Boyd

Notary Seal
 (Affix Official/Notarial Seal)
 No. **DONNA S. BOYD**
 NOTARY PUBLIC
 CRAVEN COUNTY, NC

Include with bid package

Addenda for Janitorial Services Contract (ITB 22-23-30)

1. Q: Are the buildings to be cleaned on Holidays?
A: Yes. If the holiday falls on a service day, a Public Works designee will coordinate with the Contractor for scheduling.
2. Q: Can you clarify the breakout price on the request for bids sheet? Do you want a price per square foot?
A: Yes, the price needs to be per square foot.
3. Q: Are you awarding as each building or all four locations as a whole?
A: All locations will be awarded as one bid price. Fill out request for bids sheet per directions outlined in the ITB.
4. Q: Clarification for the second note on Page 13 of the ITB?
A: The second note on page 13 of the ITB should read "All LVT floors will receive only damp mop and water when mopping floors. No chemicals are to be used on any LVT floor at any location.
5. Q: Is glass cleaning included in the bid price?
A: All interior glass is to be cleaned nine (9) feet and lower in all buildings at all locations. Page 6 item 3.14, page 7 items 3.32 and 3.36 highlight other important areas in regards to glass cleaning.
6. Q: Clarification on polishing bright metal, hand rails at City Hall and handrails in stairwells?
A: All bright metal is to be cleaned with mild, soapy water and a microfiber cloth and then properly dried.
7. Q: Will there be badge access to these locations?
A: The City will provide all necessary items in order for the Contractor to have access to the buildings.
8. Q: Are we responsible for cleaning staircases?
A: Yes, Page 6 item 3.11 and page 7 item 3.27 of the ITB define this.
9. Q: Are we responsible for cleaning refrigerators out?
A: No
10. Q: Are we able to bring shelving to organize supplies at each location?
A: No, Contractor is allowed to provide a rolling cart to store cleaning supplies only and must have proper SDS sheets attached to the rolling cart, as well as, provide the City with a copy of the SDS sheets for all chemicals.
11. Q: Are we responsible for recycling and emptying recycling cans?
A: Contractor will empty recycling containers into designated recycling roll carts at each location. City staff will properly disposed of recycling in the roll carts. Refer to page 6, 3.1 of the ITB.
12. Q: Can we use City equipment such as vacuums?
A: No, Contractor is responsible for furnishing their own equipment.
13. Q: Do you anticipate breaking these buildings up or one contractor gets all of them?
A: All locations will be awarded as one bid. Fill out request for bids sheet per directions outlined in the ITB.
14. Q: Is all the glass at the Municipal building cleaned?
A: All interior glass is to be cleaned nine (9) feet and lower in all buildings at all locations. Page 6 item 3.14, page 7 items 3.32 and 3.36 highlight other important areas in regards to glass cleaning.

15. Q: Where do we get mop water? And dump mop water?
A: Contractor is to provide adapter hose when mop sink is not available. Mop water is to be dumped in mop sink or toilet. Mop water should never be dumped in sink(s).
16. Q: Do we need to have our employees vaccinated for Covid-19?
A: No, The City of Greenville Covid-19 protocol will be provided to the successful bidder.
17. Q: What do we do with bio-hazardous trash at Employee Health Clinic?
A: All bio-hazardous waste will be handled by City of Greenville staff.
18. Q: Are we required to come in and clean during inclement weather? Such as a hurricane?
A: In the event of inclement weather, the Contractor will be notified by a Public Works designee on how to proceed.
19. Q: Do we mop breakroom floor at Building D (Streets)?
A: Yes.
20. Q: Can you please provide the prior contract award cost for the following location? Greenville City Hall, Municipal Building, Public Works Complex and Greenville Employee Health Clinic.
A: This information is available through Purchasing via the City website. [Janitorial Services | Past Bid Opportunities | Greenville, NC \(greenvillenc.gov\)](#)
21. Q: If the scheduled cleaning days M/W/F falls on a State/Federal holiday, the current contract will still be required to provide services on those holidays?
A: Yes. If the holiday falls on a service day, a Public Works designee will coordinate with the Contractor for scheduling.
22. Q: Once the bids are open, will the results be placed on the City website? If so, what is the timeline for this process to be completed?
A: A bid tab will be placed on the City website after the bid is awarded.
23. Q: Will the City of Greenville select multiple vendors are only on vendor for this invitation?
A: All locations will be awarded as one bid price. Fill out request for bids sheet per directions outlined in the ITB.
24. Q: Do contractors have to bid on all the facilities for their bid proposal to be accepted?
A: Yes, fill out bid sheet per directions outlined in the ITB
25. Q: When a company submits a bid on each of the 4 buildings, are you selecting the best bid of each building, meaning there could be a different company for each building?
A: All locations will be awarded as one bid price. Fill out request for bids sheet per directions outlined in the ITB.
26. Q: For clarity, under the request for bids section, should Category E and Addendum Number Received be the same number?
A: Category E is for the total bid per month for all the listed locations. Addendum Number Received are the individual number of addenda as posted via the City Website. Addenda must be read and acknowledged for the bid to be considered responsive.
27. Q: Under the Affidavit section, that paper should be notarized by a state representative in general or a city of Greenville representative?
A: This paper can be notarized by a certified notary public with a current and valid certification.

28. Q: How many current workers perform duties on this current contract?
A: The City of Greenville does not specify the number of employees to use for this contract. However, you must fill out the required information on page 15 of the ITB.
29. Q: What is the current dollar amount for this contract?
A: This information is available through Purchasing via the City website. [Janitorial Services | Past Bid Opportunities | Greenville, NC \(greenvillenc.gov\)](#)
30. Q: Will all contract workers have badges or selected workers only?
A: The City will provide all necessary items in order for the Contractor to have access to the buildings.
31. Q: How often are your locations inspected and do Contractor have to submit daily inspection sheet?
A: Locations are constantly and consistently inspected. No. Follow directions as outlined in the ITB on page 7 under the "Note" for maintenance plan requirements.
32. Q: Will there be any weekend work required?
A: No, the City will coordinate with the Contractor on any additional work.
33. Q: Should we include holiday pay rates within the contract if we pay workers holiday pay?
A: The City of Greenville will evaluate each bid based on the total bid price.
34. Q: Are contractor workers fingerprints required?
A: Please refer to ITB
35. Q: Clarification on the incorrect spelling of Michael Turner's email address on page 7 of the ITB.
A: The correct email is mturner@greenvillenc.gov
36. Q: Clarification on Page 13 for the table. The 1,064 sq. ft. should be LVT not under the VCT column.

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TAB A - -COVER LETTER

A&B CLEANING SERVICE INC
610 B LYNNDAL COURT
GREENVILLE, NC 27858
252-752-7222 (O)
252-364-8703 (F)

Date: 3/10/2023

Subject: Invitation to Bid #22-23-30 "City of Greenville Public Works Department Building and Grounds division Janitorial Services

Dear: City of Greenville

A&B Cleaning Service Inc. hereby transmits this proposal in response to the solicitation to perform custodial services for the City of Greenville, North Carolina. This proposal is A&B Cleaning Service Inc., formal offer to perform the project described in "Janitorial Scope of Work". A&B Cleaning Service Inc. agrees to be bound by all the provisions and will comply with all of the requirements stipulated.

A&B Cleaning Service Inc., will provide the necessary equipment, supplies and manpower as required to perform the services stated in the Scope of Work. As the Service Provider we will utilize Area Managers, On-Site Project Managers and Crew Leaders that will supervise all activities of daily cleaning/janitorial staff.

A&B Cleaning Service Inc. is pleased to offer our services to provide custodial services to the City of Greenville, North Carolina. We have been providing janitorial services for over 26 years and have an extremely satisfying track record in meeting the needs of our customers. A&B Cleaning Service Inc. has acquired the necessary resources and manpower to meet and exceed the requirements stated in the Proposal. We look forward in developing a long-term relationship with the City of Greenville, North Carolina.

A&B Cleaning Service Inc. hereby states ***"the information contained in this Proposal or any part thereof, including its Exhibits, Schedules, and other documents and instruments delivered or to be delivered is true, accurate, and complete"***.

Sincerely,

James McKesson

Operations Manager

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TAB B - -EXECUTIVE SUMMARY

**A&B CLEANING SERVICE INC
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BACKGROUND INFORMATION

FIRM EXPERIENCE AND CAPABILITIES

A&B Cleaning Service Inc. has provided quality janitorial service for over 26 years. Through customer and employee feedback, corporate adaptation to new technology/procedures and utilization of our customer service driven management team; A&B Cleaning Service Inc. has identified ways to customize cleaning services to the specifications of each customer and still maintain the best value for your cleaning investment.

A&B Cleaning Service Inc. mission/philosophy is to *“build enduring relationships with our customers while providing exceptional, cost-efficient services to achieve total customer satisfaction by consistently delivering top quality commercial cleaning services in an environmentally sound, completely trustworthy, and professional manner”*.

A&B Cleaning Service Inc.

- **Employee 200+ employees**
- **Incorporated in North Carolina—Established in 1994**
- **Licensed in states: Tennessee, North Carolina, South Carolina, and Virginia**
- **Corporate office located in Greenville, NC—Direct point of Contact Marvin McKesson
252-752-7222**

At A&B Cleaning Service Inc., we take pride in developing and maintaining lasting relationships with business partners like you. Our staff brings a wealth of proven experience and management in operating facility support and custodial contracts.

We are certified by the State of North Carolina and also certified as a minority-owned and operated business. We distinguish ourselves with an exceptional combination of Industry expertise and knowledge, gained through many years of experience. Our cleaning ability has created a winning combination of outstanding and completely guaranteed facility maintenance services.

A&B Cleaning Service Inc. has provided complete and professional janitorial services to approximately 3.0 million square feet of commercial and government office space. Our customer base includes commercial properties, manufacturing and industrial facilities, educational institutions, medical office buildings, retail stores, academic institutions as well as federal, state, county and city facilities.

A&B Cleaning Service Inc. states that there is “no” conflicts of interest the firm or any key individuals has with the project or the City of Greenville.

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TAB C: QUALIFICATIONS

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A&B Cleaning Service Inc. Notable Current Clients:

- **Provide janitorial services for the North Carolina State Lab of Public Health and the Office of Chief Medical Examiner located in Raleigh, NC---Square footage 167,000**
- **Provide janitorial services for the City of Knoxville, Tennessee-----perform janitorial services at the Knoxville Police Department**
- **County of Powhatan and Department of Public Works--58,000 cleanable square feet**
- **Beaufort County, South Carolina totaling over 518,000 square feet---Provided janitorial services for 50+ municipal buildings throughout Beaufort County.**
- **Provide custodial services for Vidant Health Care facilities located in Eastern North Carolina.**
- **20-year contract to provide services for the 160,000 square foot VA Medical Facility located in Greenville, NC. A&B Cleaning Service will serve as the Property Manager in charge of services such as janitorial, grounds keeping and building maintenance.**
- **Currently provide janitorial services municipal buildings located in Lenoir County that total 500,000 square feet.**
- **Provide custodial services for Wake County Eastern district (15) facilities totaling over 505,000 square feet.**
- **Provide custodial services for Wake County Outlying district (36) facilities totaling over 365,000 square feet.**

Our corporate office located in Greenville, North Carolina office is staffed to provide personnel and payroll administration, purchasing and logistics, technical research, contract administration and invoicing, regulatory compliance, quality control, safety guidance and research, environmental standards. A&B Cleaning Service Inc. endeavors to stay ahead of the trends, innovations, and standards that constantly evolve within the industry.

A&B Cleaning Service Inc. is an integrated part of every customer's organization - your goals become our goals. We provide cleaning services as a customer's representative. Due to our proactive approach; the facility will receive additional services as a result of our frequent quality inspections, and immediate response to your cleaning requests - creating satisfied employees.

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ORGANIZATIONAL CHART

PRESIDENT

Manages all employees and expenses; serves; directly maintains all customer relations

VICE PRESIDENT

Handles all book-keeping and invoices of customers, handles all financial operations for business

OPERATIONS MANAGER

Supervise work activities, screen applicants, train new employees, has direct contact with customers to solve any complaints

REGIONAL MANAGER

Responsible for the coordination and oversight of general maintenance and janitorial services provided

AREA MANAGER

Establish work schedules for staff and coordinates ongoing activities and work to be completed with the clients' management team.

PROJECT MANAGER

Reports on the status of ongoing activities as well as the general operation and condition of facilities

SUPERVISORS

Oversee and supervise the daily work of housekeeping personnel

EMPLOYEES (200+)

Perform daily janitorial duties in assigned facilities

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KEY PERSONNEL/RESUMES

MARVIN MCKESSON (PRESIDENT)

- 25+ Year experience in managing and handling business activities
- Strong knowledge of cleaning process and procedures
- Effective communicator with excellent leadership skills
- Procure and negotiate contracts
- Bachelor's in business administration

LITITIA MCKESSON (VP)

- Business Development
- Executive Management
- Develop and implement organizational plans
- Assist in planning and executing budgets
- Bachelor's in administration

JAMES MCKESSON (OPERATIONS MANAGER)

- 19 years Janitorial experience
- Manage and Maintain Supply Cost
- Direct contact with Customers
- Employee hiring, training and supervision
- Bachelor's in accounting

Karene Corpening (SUPERVISOR)

- Retired Armed Forces---20+ Navy Career
- Oversee and manages 40+ member night crews
- Extensive knowledge of commercial cleaning to include carpet cleaning/floor restoration/window cleaning
- Oversees and manages daily operations of facilities-----326,000 SQ Feet

MELVIN TYSON

- Project Leader---12-year experience
- Knowledge of HVAC systems and equipment
- Floor Technician
- Supervisory experience---Manages 12-member crew at VA Clinic totaling over 50,000 SQ Feet

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JERONIMO DOMINGUEZ (AREA MANAGER) POINT OF CONTACT

- 22+ years supervisory experience in the janitorial field
- Extensive knowledge of operating and maintaining various cleaning equipment
- Strong knowledge of cleaning process and procedures
- Currently oversees 25-30 accounts/facilities
- Possess good supervisory, monitoring and management skills
- Project Manager for Floor Restoration Services----over 1 million Sq Feet

TECHNOLOGY/SOFTWARE

Utilize the services of ADP for HR activities, payroll, and time/attendance to include time tracking, absence management and scheduling. Home Base app used to by employees to clock-in and clock-out.

MANAGE REQUEST FOR EXTRA “OUT OF SCOPE SERVICES”

Request to perform services out-side of the original scope of work will be handled as it arises. Typically, all requests are communicated with Project Leader/Supervisor and requested task are handled accordingly. All extra services are keyed into a spreadsheet (GOOGLE DRIVE)---which allows all parties involved to view/edit/leave comments on the status of each request.

LOGISTICAL CHALLENGE

A&B Cleaning Service Inc. proposes to have adequate staff in place to cover each facility. All staff will be cross trained to work in each facility in cause of staffing shortages.

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TAB E--IMPLEMENTATION PLAN

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IMPLEMENTATION PLAN

A&B Cleaning Service Inc. has extensive experience managing the transition services from us to your facility... As a result, we are skilled in helping organizations cope and even thrive during periods of great change. We ensure a seamless and minimally disruptive transition to our Janitorial Services Program using a number of successful tactics and ongoing communication throughout the transition and implementation period. Before the official start date, an experienced team of A&B Cleaning Service techs support specialists led by dedicated Supervisors primes the partnership for success by:

- Conducting a thorough inventory of equipment and establishing a database for the maintenance management system
- Recruiting staff, assessing skills, and training needs, and providing orientation and initial training
- Developing and implementing an effective communication plan

The start-up team then ensures the seamless transition of service and responsibility by implementing proven programs that establish and document safety, quality assurance, training, and maintenance management and by providing backup technical and manpower resources.

Execution

The A&B Cleaning Service Janitorial Services Program includes seven primary modules that work together to increase efficiency and ensure excellence:

- **Scheduling:** Optimizes employee schedules and improves time management
- **Quality Control:** Tracks areas where improvements are being made, areas that need more attention, or employees who need additional training
- **Personnel Management:** Tracks employee training records and performance, addressing both strengths and weaknesses
- **Financial Management:** Helps to reduce costs related to labor, supplies, equipment, and overtime by reporting where and when dollars are spent according to each building or individual
- **Inventory Management:** Ensures value from supply and equipment expenditures by taking an inventory all existing supplies and equipment and assisting in a life-cycle analysis of capital equipment
- **Program Evaluation:** Evaluates our training programs, identifies employees who lack training, and tracks training costs and other department expenses
- **Utilities:** Records all maintenance files for the computer system, covering start-up information such as shift differentials

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A&B Cleaning Service Inc. incorporates technology in the day-to-day management and support of our janitorial services operations. We deploy a computerized system, (based on a scope of work and client specifications) to help keep more efficient records and control of available resources, create customized reports, and provide Safety Data Sheets (SDS) and applicable requirements.

PHASE IN PLAN

A&B Cleaning Service Inc. recognizes the challenges of contract transitions, whether it is combining multiple contracts or transitioning one or more contracts from an incumbent contractor. We have three primary objectives for this PHASE-IN process.

A&B Cleaning Service Inc. has met the challenges of similar contract transitions in the recent past. For example, A&B Cleaning Service Inc. quickly staffed with current and non-incumbent positions with cleared, qualified individuals to provide custodial services for the County of Beaufort, South Carolina that consisted of over 50 facilities totaling over 500,000 square feet. A&B Cleaning Service developed a transition plan that involved senior management leadership, employees, and Facility site representatives. Joint participation by all parties was a critical factor in the success of the County of Beaufort, South Carolina transition. In addition, to the technical challenges, many site-specific items such as access to buildings and equipment has to be closely coordinated with each site and workforce.

Realizing that first impressions are lingering impressions, A&B Cleaning Service Inc. realizes the importance of a smooth transition for our customers. We make every effort possible to overcome all transitional challenges. The key to our transition plan is careful planning.

Our start up program entails a 30 day or less phase-in process beginning with a comprehensive needs assessment survey of the facility. Subsequent to the assessment, our staff begins implementing the first of 3 phases of the plan.

Phase One

A thorough study of the facility will be conducted with our management team prior to the commencement of any cleaning activity in order to outline a list of priorities and needs

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to be addressed during the first month of operation. This is done to ensure a clear understanding of all goals and objectives and secure a smooth initial transition.

Phase Two

The second phase occurs after establishing a basic knowledge of the facility, including the building's nuances, idiosyncrasies and special areas.

Several measurements will be taken to ensure improvement and effective changes. The following is a basic evaluation and impact analysis conducted:

- observation and evaluation of personnel while performing cleaning functions
- inspection of the building(s) with management to ensure complete customer satisfaction.

During this process, A&B Cleaning Service INC assesses how systems are working and identifies what, if any, modifications need to be made. Additionally, we closely monitor staff to make sure there is a good fit with the employee and the tasks to be performed. A&B Cleaning Service INC management and other staff members continually solicit feedback from our customers to validate or recommend changes to cleaning specifications.

Phase Three

During this phase, management personnel re-evaluate our processes and procedures, and build upon our standards and expectations. We re-assess the facility and review the design and development of systems and personnel. Our routine tasks and project lists have been tested and have proven to be reliable and consistent. Considerable time is devoted to thoroughly evaluating our results-oriented cleaning systems and techniques. This is another point in the process there we are proud to service your building, and you are pleased to have A&B Cleaning Service INC uphold the image and standards you have set for the facility.

A&B Cleaning Service Inc. start-up committee begins to build the foundation for providing superior service, behind the scenes prior to the initial service date. Understanding that each building and customer have various requirements, we strive

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towards a seamless transition and phase-in to your facility. Below is a general list of procedures A&B Cleaning Service works from as a basis:

- 1) Obtain list of client's key contacts and make appointments introducing A&B
- 2) Cleaning Service management team to inquire about special janitorial needs such as:
 - Alarm/Lockdown procedures.
 - Periodic services.
 - Interior offices locking instructions.
 - Recycling locations.
 - Hours of entry.
 - Special furniture arrangements.

“EMPLOYEE RETENTION AND BENEFITS”

A&B Cleaning Service Inc. understands hiring the right employee is not an easy proposition. You invest significant time and resources in the process. The longer employees stay with the company, the more they comprehend your vision and process, the more they have to contribute and the more effective they are at serving as an example for the rest of your staff. It is essential to take measures to increase employee retention rates to build a strong, loyal, dependable team of top performers.

The following is a list of strategies used to promote “Employee Retention”

1. **Hire the right people**
Define the role clearly—both to yourself and to the candidates. And then be absolutely sure the candidate is a fit not only for it, but for your company culture.
2. **Compensation and benefits current**
 - competitive wages
 - 401 K Plan----100% Match up to 6%
 - Paid uniforms
 - Paid vacations
 - Sick days
3. **Encourage generosity and gratitude.**
4. **Recognize and reward employees**
5. **Offer flexibility**
 - offer employees flexibility around work hours and locations

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6. **Prioritize employee happiness**
7. **Make opportunities for development and growth**
8. **Performance reviews**
9. **Provide an inclusive vision**
 - Offer employees a strong vision and goals for their work and increase their sense of belonging and loyalty to your organization.
10. **Demonstrate and cultivate respect**

PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment will be provided, used, and maintained when it has been determined that its use is required to ensure the safety and health of our employees and that such use will lessen the likelihood of occupational injury and/or illness.

Safety person or designated person is responsible for the development, implementation, and administration of PPE policies. This involves

1. Conducting workplace hazard assessments to determine the presence of hazards which necessitate the use of PPE.
2. Selecting and purchasing PPE.
3. Reviewing, updating, and conducting PPE hazard assessments whenever
 - a job changes
 - new equipment is used
 - there has been an accident
 - a supervisor or employee requests it
 - or at least every year
4. Maintaining records on hazard assessments.
5. Maintaining records on PPE assignments and training.

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6. Providing training, guidance, and assistance to supervisors and employees on the proper use, care, and cleaning of approved PPE.
7. Periodically re-evaluating the suitability of previously selected PPE.
8. Reviewing, updating, and evaluating the overall effectiveness of PPE use, training, and policies.

Supervisors leads, etc., and/or designated persons have the primary responsibility for implementing and enforcing PPE use and policies in their work area. This involves

9. Providing appropriate PPE and making it available to employees.
10. Ensuring that employees are trained on the proper use, care, and cleaning of PPE.
11. Ensuring that PPE training certification and evaluation forms are signed and given to Safety person or designated person responsible for workplace safety program.
12. Ensuring that employees properly use and maintain their PPE and follow PPE policies and rules.
13. Notifying management and the Safety Person when new hazards are introduced or when processes are added or changed.
14. Ensuring that defective or damaged PPE is immediately disposed of and replaced.

The PPE user is responsible for following the requirements of the PPE policies. This involves

15. Properly wearing PPE as required.
16. Attending required training sessions.
17. Properly caring for, cleaning, maintaining, and inspecting PPE as required.
18. Following PPE policies and rules.
19. Informing the supervisor of the need to repair or replace PPE.

Any worker required to wear PPE will receive training in the proper use and care of PPE before being allowed to perform work requiring the use of PPE. Periodic retraining will be offered to PPE users as needed. The training will include, but not necessarily be limited to, the following subjects:

- When PPE is necessary to be worn

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- What PPE is necessary
- How to properly use PPE
- The limitations of the PPE
- The proper care, maintenance, useful life, and disposal of the PPE

After the training, the employees will demonstrate that they understand how to use PPE properly, or they will be retrained.

Training of each employee will be documented using the Personal Protective Equipment Training Documentation Form. The document certifies that the employee has received and understood the required training on the specific PPE he/she will be using.

The PPE Training Quiz will be used to evaluate employees' understanding and will be kept in the employee training records

Retraining

The need for retraining will be indicated when

- an employee's work habits, or knowledge indicates a lack of the necessary understanding, motivation, and skills required to use the PPE (i.e., uses PPE improperly)
- new equipment is installed
- changes in the workplace make previous training out-of-date
- changes in the types of PPE to be used make previous training out-of-date

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EQUIPMENT

NAME	BRAND	DESCRIPTION
PULLMAN--HOLT S-20F STERLING FLOOR MACHINE-20"	PULLMAN	LOW SPEED BUFFER
TENNANT 1610 DUAL CARPET CLEANER	TENNANT	CARPET EXTRACTOR
ADVANCED RIDE ON SCRUBBER	ADVANCE	RIDE ON FLOOR SCRUBBER
HEPA FILTER VACUUMS	VARIOUS	VACUUM CLEANER
CARPET BONNET	VARIOUS	BONNET--USED WITH LOW SPEED FLOOR MACHINE TO CLEAN CARPET
ADVANCE BACK PACK--VACUUM	ADVANCE	VACUUM CLEANER
FLOOR/CARPET SWEEPER	RUBBERMAID	SWEEP FLOORS
ADVANCE WALK BEHINE SCRUBBER	ADVANCE	AUTOMATIC FLOOR SCRUBBER
PERFECT HIGH SPPED BURINSHER	PERFECT	POLISHES NO CARPET FLOORS
UNGER WINDOW CLEANING KITS	UNGER	WINDOW CLEANING
WINDSOR PORTABLE AIR DRYER	WINDSOR	USED TO DRY FLOORS
RUBBERMAID BUCKET WRINGER/COMBO	RUBBERMAID	TRANSPORT WATER SOLUTION FOR CLEANING
RUBBERMAID JANITOR CART WITH BAG	RUBBERMAID	TRANSPORT CLEANING SUPPLIES
EXTENDABLE DUSTERS	VARIOUS	USED FOR HIGH DUSTING
BROOMS/DUST PANS		
ELECTROSTATIC SPRAYERS	VICTORY	ELECTROSTATIC DISINFECTING

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TAB F – QUALITY CONTROL PLAN

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“QUALITY CONTROL PROCEDURES”/APPROACH

A&B Cleaning Service Inc. provides each customer with our customer driven **Quality Control Program**. It is the goal of our company to provide a management tool to maintain accountability and monitor progress. The **Quality Control Program** consists of personal on-site visits by A&B Cleaning Service Inc. supervisors to allow our management staffs the opportunity to inspect the site being serviced as well as discuss any concerns or questions. In addition, A&B Cleaning Service provides on-site correspondence logbooks/daily checklist to allow for communication with the on-site staff and janitorial supervisors confirming frequencies of work have been completed.

A&B Cleaning Service Inc. is committed to providing cutting edge service and our Quality Control Program allows us to control and monitor our progress as well as our customers' complete satisfaction.

A&B Cleaning Service's QCP (QUALITY CONTROL PROGRAM) consists of the following three core components:

Quality Measurement – A&B Cleaning Service Inc. uses a “tiered” approach to measure quality. Various levels of inspections occur by different stakeholders to ensure our customers are receiving the best in customer care and service. The following approaches with different degrees of formality are employed.

QCP begins with the employee – During training, each employee goes through a step-by-step process of defining each task associated with their responsibility. The checklists used by the employees are the same checklists used by the other stakeholders responsible for quality assurance. Expectations are clearly understood, and employees are instructed to check their work to ensure it is done to standard.

On-Site Supervisor Inspections – Informal daily/nightly inspections are performed by the On-Site Supervisor. On-Site Supervisors are responsible for inspecting each customer premise to ensure cleaning standards are being met. They are responsible for OTJ (ON THE JOB TRAINING) and remedial training.

Area Manager – The Area Manager will be visiting (randomly and unannounced) each customer premise to ensure staff is working safely and effectively on a monthly basis. He/she will be touring and inspecting the work being done to ensure service delivery is meeting or exceeding customer expectations.

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Performance Evaluators – The Quality Control Scorecard is the main tool used for quality measurements. Each location serviced is tracked on a Monthly QC Report to ensure a positive trend and consistency. The primary feedback medium is the weekly performance evaluation meeting where management teams (QC, Supervisors, and Managers) meet to review and discuss progress on each account (based on quality control scorecards and other relevant key indicators). As previously mentioned, any weaknesses in training, supervision, resources, or personnel are quickly escalated and resolved before they become problematic.

Performance Evaluation Tools:

- ❖ Monthly Complaints/Reports
- ❖ Smart Inspect---(Computer Based Quality Control System)
- ❖ Daily Check-Off List
- ❖ Customer Surveys
- ❖ Physical Walk-thru of Facilities with Customer

Quality Assurance Inspection Report

Our inspection report is used by management to review the quality of our work. This inspection can be performed weekly, monthly, quarterly, and annually. This assures the quality of our work and gives us the opportunity to communicate with our customers and cleaners. See below for an example of our inspection report. Because each facility is unique, your facility will receive a customized inspection report to fit the needs of your facility.

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DAILY CHECK-OFF LIST---USED DAILY/NIGHTLY---ENSURE TASK ARE COMPLETED

PLAN OF WORK---SCOPE OF WORK CHECKLIST

ALL CLEANING TASK AND FREQUENCIES WILL BE INCORPORATED IN THE SCOPE OF WORK CHECK LIST

Entrance ways	Frequency	Custodian Comments	Comments/Actions Needed
Matt, Sweeping, Vacuuming			
Glass, Metal surfaces			
Corners			
Dusting			
Spot Cleaning			
Fixtures			

PER THE SPECIFICATION OUTLINED "TECHNICAL PROVISIONS".

CLEANED BY: SIGNATURE:		WEEK STARTING: DATE SIGNED:						
ENTRANCE / RECEPTION / OFFICE AREAS		Mon	Tue	Wed	Thu	Fri	Sat	Sun
Remove rubbish and replace bin liners								
Vacuum all carpets and mats								
Vacuum all hard floors								
Vacuum under all cushions								
Dust all horizontal surfaces of desks, chairs, tables and other furniture								
Damp wipe all horizontal surfaces with disinfectant								
Mop all hard floors with disinfectant								
Remove cobwebs from front entry and immediate surrounding areas								
Remove fingerprints and marks from around light switches and door frames								
Clean automatic glass doors inside and out								
Spot clean all glass								
Polish all brass and bright work (including strip on entrance floor)								

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SITE	
CLEANED BY:	WEEK STARTING:
SIGNATURE:	DATE SIGNED:
Spot clean walls and painted surface	
Collect all rubbish, papers, bottles etc. from front entrance and between buildings	
Ensure all areas are clean & arranged in a tidy fashion prior to leaving	
TOILET & BATHROOM AREAS	Mon Tue Wed Thu Fri Sat Sun
Stock toilet tissue, hand towels, facial tissues and hand soap	
Empty rubbish bins and wipe if needed and replace bin liners as required	
Clean and polish mirrors	
Wipe hand towel cabinet covers/hand dryers	
Wipe down door sills – remove all dust	
Toilets and urinals to be cleaned and disinfected on both sides and disinfected/sanitized and wiped dry	
Clean and sanitize all basins. Polish all bright work to basins	
Dust partitions, tops of mirrors and frames	
Remove splash marks from walls around basins	
Mop clean restroom floors with disinfectant	
	Mon Tue Wed Thu Fri Sat Sun

A&B Cleaning Service Inc. also supports weekly, bi-monthly, monthly, and/or quarterly performance evaluation calls with clients to review goals, issues, work orders, future initiatives, and current needs. Current financial needs and expectations of the client will be addressed at this time. Our Managers and Account Representatives are dedicated to providing the best in customer care

Our Quality Control Program is the #1 way to ensure your facility continues to look great and remain clean each day. We provide a Quality Control Program for all of our facilities, and through on-site inspections of your facility, regular visits with our site contact, and a pro-active approach to issues before they arise; we are able to eliminate janitorial concerns.

“ACCOUNTABLE FOR SERVICE PROBLEMS AND FAILURES”/CALL-IN COLLECTION PROCEDURES

We aim for our customers to have very positive experiences when they come into contact with our organization, and we pride ourselves on the very high level of customer retention that we have achieved over the last 20 years.

- providing continuous effective staff training

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- being clear, open and honest about the services that we offer so that customers
- know what they can expect when they do business with us (please see our customer service charter)
- regularly seeking feedback from our customers and using this information to improve our services and product
- keeping track of complaints and analyzing them so that we can prevent problems re-occurring
- responding to complaints in a fair, open and honest manner
- regularly measuring the customer service that we are providing

If you are not happy with the service you have received, We DO want you to let us know. The sooner we find out that something is wrong, the sooner the issue can be resolved.

If you have a complaint, we suggest that you speak to our friendly staff to see if we can resolve the problem for you quickly

We aim to resolve most issues at the point of contact, and we provide our staff with training to enable them to do so.

However if our front-line staff are not able to resolve your issue, they will refer you to a more senior decision maker. If not immediately available, a decision maker for the area that you are complaining about will contact you within 24 hours by email, telephone or visit the site to acknowledge your complaint.

A&B Cleaning Service Inc. treats all complaints seriously and confidentially your complaints will be handled in a courteous, prompt, and straightforward manner. We will investigate your complaint fully and provide a substantial response. Were we are required to make a site visit in order to resolve your complaint, we will agree a mutually convenient time to meet with you.

A&B Cleaning Service Inc. complaint policy includes but not limited to the steps listed below:

Step 1

When the client complains, you need to take the matter seriously and deal with it appropriately. Listen carefully to the person making the complaint. You need to ensure that they give you all the correct information.

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Step 2

It may be better to take the matter to the supervisor, especially if the complaint is about a staff member. Details need to be accurate. All information about the complaint should be documented to ensure that the information remains consistent.

Step 3

Depending on the type of complaint it may be sufficient that the supervisor listens and deals with the issue with the client.

For quality assurance the documentation of the complaint will be noted, and records kept of the action taken.

Step 4

Where the issue is not able to be dealt with at the supervisor level the manager of the section may be involved in the issue. They may discuss the matter with the client to resolve the issue.

Step 5

Where several complaints about the same issue are received, the quality assurance section may implement an action plan to investigate and improve an area.

Step 6

Evaluation on the issue is undertaken at a predetermined date to ensure that improvement has occurred.

"EMERGENCY CLEANING PROCEDURES"

A&B Cleaning Service Inc. maintains a 24/7 line of communication between customers, Project Managers and Management for prompt response to special situations. We strive to respond to emergencies immediately, so we also offer a guaranteed 90-minute emergency reply!

In case of an emergency at your facility, our expert personnel will contact your designee and follow the emergency procedures that have been prescribed for the facility. This centralized message center demonstrates our commitment to efficiency, responsiveness, and quality.

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Your call will be answered by one of our team members to ensure an immediate response to your emergency service needs. We provide peace of mind now so it doesn't have to wait until morning. Our mission is to serve our customers with character, competence, compassion and communication.

Our vision is to provide the highest level of service and value to each of our customers through technology, education, and leadership. We treat people the way we would want to be treated and repair their home as though it were our own home.

"TRAINING PLANS AND PROCEDURES"

All personnel including supervisors and management involved in the daily operations are required to complete a Janitorial Safety Training Program. A program designed specifically for business owners and managers who need to train janitorial employees working alone or in small teams to clean buildings.

Training falls into 4 basic categories:

- ❖ Initial training
- ❖ On-Site Training
- ❖ Safety Training
- ❖ ON-Going Training

Initial Training

Initial training starts with series of video training/classroom instruction during the initial orientation process. Areas/topics covered during training process includes but not limited to:

- ❖ Bathroom Cleaning
- ❖ Office/Classroom Cleaning
- ❖ Proper use of equipment/chemicals
- ❖ Maintenance of Flooring----Stripping and Finishing/Carpets Care
- ❖ Company Policies

On-Site Training (SITE-SPECIFIC)

Site-Specific Training is conducted by A&B Cleaning Service Inc. after an assignment to our customers' site, and prior to commencement of work. Site-Specific Training customizes elements of the general training to meet the specific needs of the customers' site. In this training, employees learn all the unique procedures and sequences of task required at a particular site.

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Safety-Training

Employees received general safety training which covers safety on the job, lifting, falls and chemicals. Topics covered during Safety-Training include:

- ❖ Chemical hazards/SDS Awareness
- ❖ Electrical Hazards
- ❖ Blood Borne Pathogen Training/Awareness
- ❖ Ergonomic Hazards
- ❖ FALL ARREST TRAINING
- ❖ Planning for Emergencies
- ❖ Robberies/Assaults
- ❖ OSHA regulations

Continuing Education Training

All A&B Cleaning Service Inc. personnel are required to attend Continuing Education training. As part of the Continuing Education program, Semi-Annual Refresher Training is conducted either on-site or in-class, off-site. The objective of "Continued Education Training" is to reinforce the habits already acquired and to adjust, or revise procedures to comply with the latest standard.

"SECURITY PLANS AND PROCEDURES"

At A&B Cleaning Service Inc. our hiring practices are some of the strictest in the industry. We care who puts on that A&B Cleaning Service uniform and represents our company. More importantly, we care who goes into your business! We don't hire every person who applies at our company like some competitors do. We have a list of high priority hurdles they must pass to be employed at A&B Cleaning Service Inc. before they even start the training process.

- 1. Background Check. All potential hires must go through a background check before they can be considered for employment:*
- 2. Drug screening ---LabCorp*
- 3. All employees must be uniformed. Employees must always wear A&B Cleaning Service uniforms while working. No jeans or ripped clothing.*

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4. *Security badge with picture & employee number along with level of position so our customers know who at all times is.*

5. *All employees must be certified in job safety practices.*

6. *All employees must be certified in several areas of cleaning and practicing the latest techniques.*

A&B Cleaning Service Inc. has established a security policy for the protection of our clients and our employees. Compliance with the following steps is required:

- Employees must keep all doors locked within their assigned work area.
- In accordance with the instruction sheet provided, employees must check and secure all doors at the beginning and at the end of their shift.
- Report any strange or out of the ordinary activities to your supervisor immediately. If you cannot reach your supervisor, call the office at once without delay.
- Never lock or unlock a secured door for anyone. Remember: If they have a right to be there, they will have a key of their own.
- Leave all personal possessions at home/in your automobile. Do not bring
 - iPods or any personal devices other than cell phones to work with you. Your cell phone is to be used for emergencies only.
- Do not remove anything from the building that is not yours. Items found in the trash are to remain in the trash. Removing even the smallest item, such as a pencil, will not be tolerated, and is grounds for disciplinary action.

KEYS/BUILDING SECURITY

Considering the safety of all facilities and staff to be a priority and a serious issue. This policy is designed to control access to district buildings, as well as in the building, thereby enhance overall security as well as promote accountability and prevent loss of property. In conjunction with a key policy, a key replacement cost will be established for all lost keys.

Distribution of Keys

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1. **Issuing Authority** – Project Manager or designee will authorize the issuance of individual keys to custodial personnel.

2. **Who is Authorized Specific Keys** – Access will be given only to the areas where need can be demonstrated. The Key Receipt and Agreement form will be completed by each employee issued keys. This shall be kept on file under the supervision of the Project Manager or designee.

3. **Keys May Not be Left Unattended** – All keys issued on a “permanent” basis should be retained at all times by person to whom issued. Practices such as leaving keys on desks, loaning of keys, etc. shall not be allowed.

4. **Lost or Stolen Keys** – Any person losing a key(s) must notify the Director of Operations and Project Manager or Department Administrator immediately to ensure against any compromise in the system. Notification should be made by telephone, e-mail, or in person.

5. **Keys are Not to be Loaned to Unauthorized Personnel** –

To protect the integrity of assigned areas, no issued key may be loaned or signed out to anyone not previously authorized by the Project Manager or designee.

A key inventory shall be maintained for each building in a key logbook. All keys shall be lettered and numbered. All keys (upon approval) shall be issued from this logbook. A key audit shall be performed periodically.

Terminated Employees

Any person terminating employment will immediately turn in all keys to the Project Manager.

Policy Violation

Any person(s) found to have violated this policy will be subject to disciplinary action.

OTHER INFORMATION TO PROVIDE

A&B Cleaning Service Inc. does not intend to utilize subcontractors to fulfill any services requested in the Scope of Work pertaining to RFP#2023-103.

A&B Cleaning Service Inc. has no lawsuits or arbitration proceedings initiated by or against the company.

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PLAN OF ACTION FOR CLEANING AND DISINFECTING IN THE PREVENTION OF COVID-19

A&B Cleaning Service Inc. proposes utilizing the following "PLAN OF ACTION" in cleaning and disinfecting public spaces/workplaces in preparation for reopening following COVID-19 shutdowns.

Step 1: PLAN OF ACTION

-We will assess facilities to determine which areas will require additional disinfecting or routine cleaning. All areas that have not been occupied for over 7 days will require only routine cleaning (cleaning with mild detergent and water). Areas that have been occupied will need to be cleaned and disinfected with an EPA-approved disinfectant.

*-Areas to be cleaned---*we will evaluate all surfaces of the facilities to determine how and the frequency of when the areas will be cleaned/disinfected. Areas that are frequently touched "high touch" areas will be disinfected on a routine basis (times will be scheduled for each facility). The routine disinfecting of "high touch" areas will be performed during normal working hours by Day Porters and by regular night staff.

*-Proper equipment---*We will provide proper PPE (PERSONAL PROTECTION EQUIPMENT) to all employees. Such PPE will include but not limited to gloves, Tyvek suits, cloth face mask and goggles. All employees will be trained on the proper use and disposal of all PPE.

Step 2: IMPLEMENT PLAN OF ACTION

-Putting plan into action: After facilities area assessed cleaning/disinfecting will begin. All areas will be assigned as requiring normal or routine cleaning. All staff will be previously trained of the difference in terms of normal and routine cleaning. Schedules will be provided on the frequency of disinfecting of "high touch" areas---also literature will be handed out listing examples of frequently touched surfaces/objects such as

Doorknobs

Light switches

Handles

Phones

Faucets/sinks/countertops

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-Using EPA-approved disinfectants: All chemicals used have been EPA approved for use against SARA-CoV-2, the virus that causes COVID-19. All staff will be trained and instructed on how to follow the label directions (on disinfectant bottle) for safe, effective use.

Step: 3 MAINTAIN AND REVISE

-Routine cleaning/disinfecting: We will continue routine cleaning/disinfecting of all facilities to kill bacteria and germs to limit exposure of COVID-19.

-Safe practices: We will continue to practice safe procedures as we clean/disinfect---we have informed all staff on the CDC guideline for safe procedures such as:

- 6 Foot rule 'social distancing'
- Wearing cloth face make
- Wearing proper PPE---such as mask and gloves
- Staying at home when you are not feeling well—

A&B Cleaning Service Inc. has implemented a protocol in which we contact our employees daily and ask them the following questions: If they have any of the following symptoms

- Cough
- Sore throat
- vomiting
- Fever/muscle aches
- Been out of the country...etc

If employee answers yes to any of the items listed above, they are asked to stay home for that day.

A&B Cleaning Service Inc protocol on cleaning and disinfection after persons suspected/confirmed to have COVID-19 in a facility:

Step 1: Facility should be completely closed off---timing is very important---wait at least 24---72 hours before beginning cleaning and disinfecting---Cleaning staff will clean and disinfect all areas such as offices, bathrooms, common areas focusing on "high touch" areas.

Step 2: Assess areas and space to be cleaned---determine "non-porous" surfaces versus porous surfaces. Non-porous surfaces that are dirty must be cleaned with a detergent prior to being disinfected. Porous surfaces such as rugs/mats remove visible debris/clean and laundry if possible

Step 3: Provide proper PPE (PERSONAL PROTECTION EQUIPMENT) and EPA---approved disinfectants for cleaning---train employees on proper use/disposal of PPE equipment and proper use of disinfectants.

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REFERENCES

REFERENCE: 1

COMPANY:	BREAUFORT CONTY SOUTH CAROLINA
ADDRESS:	106 INDUSTRIAL VILLAGE RD BLDG#2 BEAUFORT SC 29906
POINT OF CONTACT:	DAVE THOMAS
PHONE NUMBER:	843-812-8217
EMAIL:	dthomas@bcgov.net

REFERENCE: 2

COMPANY:	GREENVILLE VA HEALTH CENTER
ADDRESS:	401 MOYE BLVD GREENVILLE NC
POINT OF CONTACT:	MARK SUMMERLIN
PHONE NUMBER:	336-705-7153
EMAIL:	msblackfinllc.com

REFERENCE: 3

COMPANY:	VIDANT HEALTH
ADDRESS:	VARIOUS LOCATIONS
POINT OF CONTACT:	MATT WILLIAMS
PHONE NUMBER:	252-717-3012
EMAIL:	mtwillia@vidanthealth.com



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Request to Increase the Not-to-Exceed Amount for the 2021 On-Call Civil Engineering Services Contract

Explanation: In September 2021, City Council approved the 2021 On-Call Civil Engineering Services Contract with The East Group. The contract serves to supplement existing professional engineering staff to accomplish the mission of developing and executing Capital Improvement Projects. The initial term of the contract is two years with an option for a one-year extension, and includes a not-to-exceed value of \$500,000.

Due to higher than anticipated use of the contract by both the Engineering and Recreation and Parks Departments thus far, only approximately \$60,000 remains available for engineering services. Recreation and Parks and Public Works staff are currently discussing task orders for services under this contract that will exceed the remaining amount available. Additionally, Engineering and Recreation and Parks need engineering services for other capital projects over the next year. Based on this demand for services, staff is requesting to increase the not-to-exceed amount of the contract by \$350,000. Task orders are utilized to perform work under this contract and will be executed in accordance with City purchasing policy.

Fiscal Note: Funds for each work order come from the respective departments' budgets or from approved Capital Improvement Program projects. If the not-to-exceed amount is increased by \$350,000, the revised maximum value of the contract is \$850,000 over the term of the contract.

Recommendation: Approve the \$350,000 increase in not-to-exceed amount to the 2021 On-Call Engineering Services Contract with The East Group, for a revised total not-to-exceed amount of \$850,000 over the term of the contract.

ATTACHMENTS

 [Amendment1_1180179 - 2021 Engineering On-Call Amendment for NTE - 1 - COG.pdf](#)

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated 09-09, 2021.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1

1. *Background Data:*

- a. Effective Date of Owner-Engineer Agreement: 09/09/2021
- b. Owner: City of Greenville, NC
- c. Engineer: The East Group, P.A.
- d. Project: On-Call Engineering Services to the City of Greenville, NC for a period of 2 years from the effective date of the Agreement, which may be extended for an additional year by the Owner, at its sole discretion ("Project")

2. *Description of Modifications:*

- a. The responsibilities of Owner are modified as follows: Regarding Exhibit C, Compensation Packet BC 2 of the Agreement, the amount shown in Article 2, paragraph C2.01(A) is increased from \$500,000 to \$850,000.
- b. The schedule for rendering services is modified as follows: In accordance with Exhibit A of the Agreement, Owner extends the Agreement period by one year, adjusting the period to 3 years from the effective date of the Agreement.

5. Agreement Summary (Reference only)

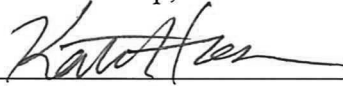
a. Original Agreement amount:	<u>\$500,000 not-to-exceed</u>
b. Net change for prior amendments:	<u>\$0</u>
c. This amendment amount:	<u>\$350,000</u>
d. Adjusted Agreement amount:	<u>\$850,000 not-to-exceed</u>

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is _____

OWNER:
City of Greenville, NC

ENGINEER:
The East Group, P.A.



By: P. J. Connelly

By: Keith House, PE

Title: Mayor

Title: President

Date
Signed: _____

Date Signed: 04/24/23



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Adoption of Recreation and Parks Comprehensive Master Plan

Explanation: The City of Greenville Recreation and Parks Department, in coordination with Kimley-Horn and other partners, has developed an updated Comprehensive Master Plan for the department that will help guide future decision making and investments for the next ten years. This plan is the result of citizen, stakeholder, and staff input and reflects the recreational wants and needs of the city.

The last Recreation & Parks master plan was completed in 2008, and the City has experienced significant growth and changes in recreational needs since that time. This plan outlines strategic steps to help the department and City meet the identified recreational wants and needs of the citizens of Greenville.

This plan was presented to the Recreation and Parks Commission on April 12, 2023, and was unanimously recommended for consideration by the City Council. Based on feedback received at that meeting, minor edits were made to the plan.

Fiscal Note: None

Recommendation: Adopt the presented Recreation and Parks Comprehensive Master Plan developed by Kimley-Horn.

ATTACHMENTS

 [GreenvilleRPMP_2023.0418.pdf](#)



DRAFT

PLAYBOOK 2033

Recreation and Parks Master Plan

City of Greenville, North Carolina



Special Thanks

Thank you to the residents of the City of Greenville, elected officials, the City Manager's Office, Recreation and Parks Commission Board Members, Recreation and Parks Department Staff, and stakeholders for your participation in interviews, workshops, and surveys. This feedback was critical in the creation of a master plan that will serve as a guide for the future of recreation and parks in the City of Greenville.

City of Greenville

City Council

Mayor P.J. Connelly
District 1 Council Member, Monica Daniels
District 2 Council Member, Rose H. Glover
District 3 Council Member, Marion Blackburn
District 4 Council Member, Rick Smiley
District 5 Council Member, Les Robinson
Council Member At-Large, Will Bell

Recreation and Parks Commission Board

Chair: Gordon Darragh	Montez Bishop
Vice-Chair: Darin White	Najiyyah Lewis
Derrick Clark	Kevon Gainer
Deborah J. Sheppard	Joel Sweeney

City Manager's Office

Ann E. Wall, City Manager
Michael Cowin, Deputy City Manager
Ken Graves, Assistant City Manager

Recreation and Parks Department

Don Octigan, Director
Dennis Vestal, Superintendent
Heather White, Superintendent
Mark Nottingham, Parks Planner
Courtnee McGrath, Administrative

Consultant Team

Kimley-Horn
Ballard*King
ETC Institute

Published: **DRAFT**
City of Greenville Recreation and Parks Department
2000 Cedar Lane, Greenville, NC 27858
www.greenvillenc.gov

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Mission

To advance parks, recreation, and environmental conservation efforts that promote mental and physical health, serve as a deterrent to illegal or inappropriate behaviors, and enhance Greenville's quality of life.

Vision

We envision our department as being a viable and recognized force in positively impacting the health, economy, natural environment, and well being of the Greenville community and its people.



Introduction





Introduction

Purpose

The purpose of recreation and parks master planning is to create well-designed, functional, and sustainable parks and recreation facilities that meet the needs of residents and visitors. This type of planning aims to balance the demands for healthy lifestyles, environmental protection, social equity, and cultural preservation. Master planning involves the strategic allocation of services and infrastructure to help ensure efficient use of resources, minimize environmental impacts, and foster healthy and livable neighborhoods. The ultimate goal of recreation and parks planning is to create communities that are safe, accessible, and enjoyable places to live, work, and play for all residents.

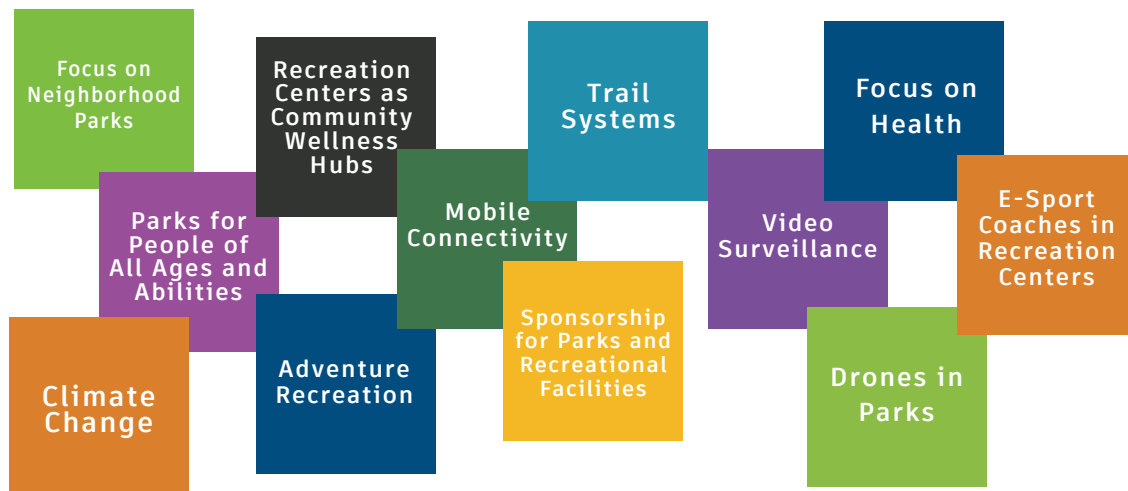
This recreation and parks master plan was developed as an update to Greenville's prior 2008 master plan. Over the last 15 years, incredible changes have occurred including multiple recessions, tremendous growth, and a global pandemic. Through these impacts, needs and priorities for recreation and parks have evolved. This planning process was structured to identify current needs and priorities as well as project needs over the next 10 or more years.

This master plan is intended to be referenced regularly to identify community needs for parks and recreation facility development and investment, align goals with other community-wide goals, and gauge progress towards meeting community needs.

A Growing Demand for Public Parks:

During and after the COVID-19 pandemic, support for public parks in the United States significantly increased. As people spent more time at home, many looked for ways to stay active and maintain their mental health. The importance of parks as a community resource has become more apparent. This has led to an increase in both public awareness and funding for parks. Many communities have recognized the role that parks play in promoting health and well-being, and have advocated for increased funding to support park maintenance, programming, and access.

Additionally, the pandemic highlighted the disparities in access to parks and green space in low-income and marginalized communities in many cities. This led to calls for more equitable distribution of park resources and funding, as well as efforts to create new parks and improve existing ones. Furthermore, many local governments and private organizations stepped in to support public parks as an outcome of the pandemic. These organizations have provided additional funding, volunteers, and resources to help maintain parks and ensure that they remain safe and accessible for all visitors. This increased support for public parks has helped to ensure that these valuable community resources are able to continue to serve the needs of the public.



Examples of national trends in recreation and parks

The Benefits of Recreation and Parks:

The benefits associated with recreation and parks have been well studied over the last few decades. Some of the most well documented benefits include:

1. **Promoting Physical and Mental Health:** Parks are essential for promoting physical and mental health. Regular exercise in parks has been linked to reduced risk of chronic diseases like obesity, heart disease, and diabetes. Additionally, parks offer a serene and peaceful environment, which can provide mental health benefits such as reduced stress, anxiety, and depression.
2. **Enhancing Environmental Sustainability:** Parks are crucial for enhancing environmental sustainability. They serve as natural buffers against climate change, absorb carbon dioxide emissions, mitigate the impacts of air and water pollution, and reduce urban heat island effects. Parks provide habitats for wildlife, promote biodiversity, and protect natural resources such as water, soil, and vegetation. Parks also are excellent for stormwater management by acting as sponges during large storm events and disasters.
3. **Providing Economic Benefits:** Parks provide economic benefits to the communities they serve. They generate revenue for local businesses and create jobs in the areas of park maintenance, tourism, and recreation.
4. **Fostering Social Cohesion:** Parks play an essential role in fostering social equity and promoting community inclusion. They provide a space for people to come together, build relationships, and participate in community events and activities.
5. **Preserving Cultural Heritage:** Parks can help preserve cultural heritage and promote cultural identity. Parks can also be used to celebrate cultural events and traditions, promoting cultural awareness and understanding.
6. **Increasing Property Values:** Parks and green spaces can increase the value of nearby properties, which can help to attract new businesses and residents to the area.
7. **Promoting Tourism:** Parks can attract tourists to an area, which can boost the local economy through increased spending on lodging, food, and activities.



Needs Assessment





Guiding Documents

Overview

Previous efforts by the City of Greenville and its partner agencies have produced several plans and studies which form a base of knowledge and a vision that this master plan will seek to build upon. The section includes summaries of key plans, relevant goals, and strategies with specific applications for this master plan. The following reports and plans were reviewed upon the initiation of this master plan and again during implementation planning in order to leverage prior efforts by the City:

- Prior Comprehensive Recreation and Parks Master Plan (2008)
- Horizons 2026: Greenville's Community Plan (2016 Comprehensive Plan)
- Greenville City Council Goals and Priorities (2022 Update)
- Greenville Urban Area MPO's 2045 Metropolitan Transportation Plan
- Greenville Flood Land Reuse Plan (2004)
- Bicycle & Pedestrian Master Plan; Greenville Urban Area MPO
- Active Transportation Plan; Greenville Area MPO
- Neuse River Basin Regional Hazard Mitigation Plan (2020)
- Pitt County 2015 Comprehensive Recreation and Park Master Plan
- Pitt County Greenway Plan 2025
- Pitt County Open Space Management Study (2001)
- Comprehensive Parks and Recreation Master Plan for Town of Winterville (2016)
- Winterville Greenway Master Plan

Key Takeaways:

- Greenville's Horizons 2026 Comprehensive Plan includes vision framework and sustainability themes which overlap with the benefits that parks and recreation provide.
- The implementation of the prior recreation and parks master plan (2008) was significantly hampered by lack of funding, particularly the largest proposed source, \$35 million in bond funding.
- Most unfunded capital projects from the 2008 master plan remain as needs today.
- Other guiding documents include recommendations for projects such as greenways which overlap with needs expressed by residents for parks.



Covers of example guiding documents for the City of Greenville

Horizons 2026: Greenville's Comprehensive Plan

The City's award-winning comprehensive plan was adopted in 2016 and serves as the primary long-range plan. The City has had a long history of developing community-driven plans to guide growth and define their vision with the most recent version consisting of an update to the City's prior Comprehensive Plan from 2010.

The long-range plan established two driving elements that combine vision with sustainability goals. The following are elements of each:

Vision Framework

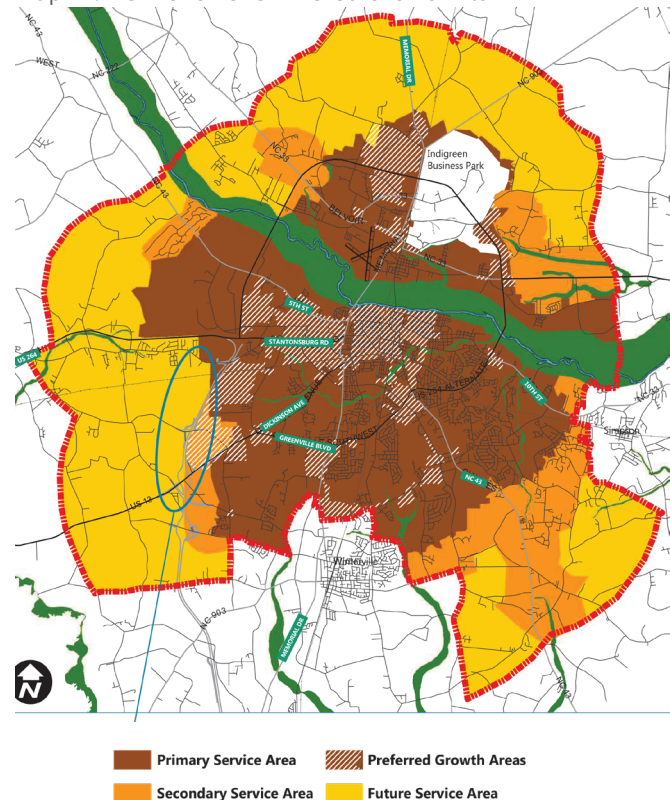
1. Building Great Places
2. Enhancing Mobility
3. Maintaining Fiscal Responsibility
4. Growing the Economic Hub
5. Creating Complete Neighborhoods
6. Fostering a Resilient City
7. Growing a Healthy City
8. Growing Together

Sustainability Themes

1. Interwoven Equity
2. Resilient Economy
3. Strong Fiscal Responsibility
4. Livable Built Environment
5. Affordable Cost of Living
6. Harmony with Nature
7. Healthy Community
8. Responsible Regionalism

Parks and recreation have a particular role within Greenville to bring together each theme and framework of the long-range plan. The ability to advance the community's vision and sustainability goals demonstrates the power parks and recreation provide residents. Investments within parks and recreation, therefore, provide a high level of return on investment through the advancement of many vision and sustainability goals.

Map A1: Horizons 2026 - Tiered Growth Plan



As a long-range vision document, Horizons 2026 provides a tiered growth plan (Map A1) for the City that identifies neighborhoods as primary, secondary, or future service areas. Furthermore, the plan includes an overlay for neighborhoods designated as Preferred Growth Areas. This information is important to the master plan for:

- Aligning future resources in designated growth areas
- Identifying short-term and long-term growth areas
- Determining future search areas for acquisition of parkland

City of Greenville Comprehensive Recreation and Parks Master Plan

Adopted in 2008, the City's prior recreation and parks master plan was an update from the 2000 master plan which had a 20-year horizon. Review of this plan was focused on success



of implementation. The master plan included an implementation plan which recommended over \$53 million in capital improvements, equal to nearly \$75 million in 2023.

Historically, the Recreation and Parks Department (Department) has had challenges in obtaining ample funding to implement such a robust capital improvement program. On average, the Department has received funding for approximately 15% of total capital improvement requests. This compares to Public Works which on average receives 68% of capital project funding requests and Community Development which receives 58% of requested funding.

A significant amount of capital improvement recommendations remain unfunded from the 2008 master plan. Specific projects in the 2008 plan included:

- Land acquisition in West Greenville of 50 acres for a new community park
- Acquisition of land for six additional neighborhood parks:
 - West Central
 - West
 - South West
 - South Central
 - South East
 - East
- Acquisition of 14 sites for mini parks
- Development of an existing community park site in East Greenville
- Development of a new community park in West Greenville
- Development of seven new neighborhood parks
- Development of 14 mini park sites
- Development of a new recreation center
- Development of a new swimming pool
- Development of a spray-ground
- Development of 10 miles of greenways

Unfortunately, most of the above recommended land acquisitions and park development projects (**Map A2**) have not been completed. Out of this list, a new neighborhood park (Westpointe Park) opened on the west side of the city, a renovated recreation center (South Greenville), and the City recently celebrated the opening of a new pool at Thomas Foreman Park.

One primary challenge to the progress of the 2008 master plan capital projects was lack of funding. As noted earlier, the Department has historically received funding for a small portion of requested capital projects, averaging \$800,000 annually. This amount matches the amount identified in the 2008 master plan's implementation strategies, providing roughly \$10 million over the 12-15 year period.

The largest proposed funding source included in the 2008 master plan, however, was \$35 million in general obligation bonds (GOBs); followed by \$2 million in user fees, \$3 million in donations, \$1.5 million in sponsorships, and \$2 million in grants. Of all the proposed funding strategies, only the GOBs source was not realized. The fact that 2/3 of all proposed capital funding depended upon GOB that was not provided, greatly impacted the City's ability to fully implement the 2008 master plan's capital recommendations.

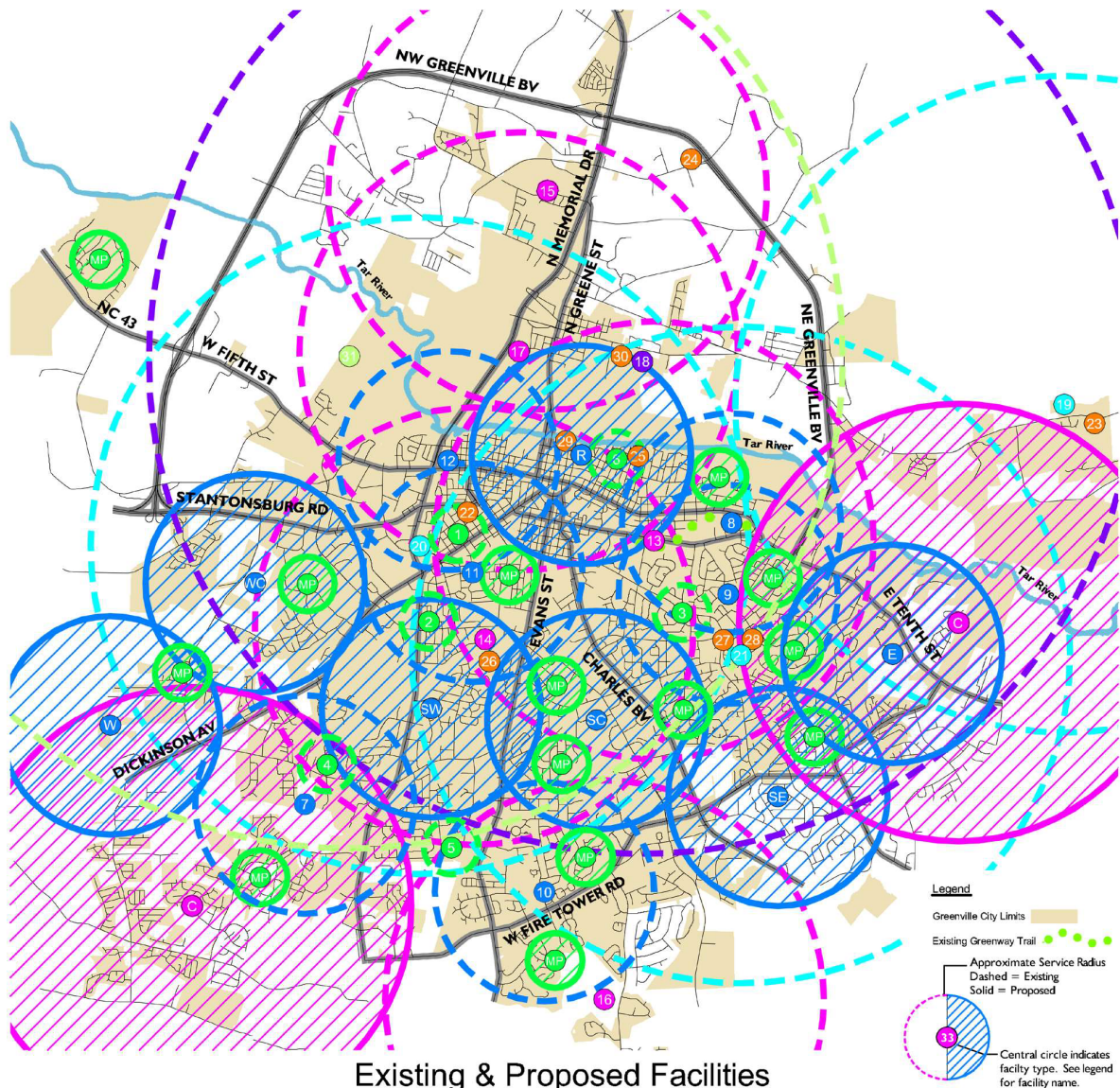
Conclusion

The City's history of proactively planning for a high-quality community that meets the social equity, sustainability, and economic development goals of residents has included recreation and parks. In fact, recreation and parks have played a critical role in advancing the goals outlined in many of the City's guiding documents.

Despite the tremendous overlap of the benefits of recreation and parks to advancing the goals of the City, funding to grow and reinvest in existing parks and facilities has been limited. Requests for funding are typically provided at much smaller proportion when compared to other departments managing critical community infrastructure. Alternative funding sources such as GOBs have been utilized to advance capital projects throughout the city, but they have not included significant investment in parks and recreation facilities comparable to transportation or safety. Many of the unfunded recommendations of the 2008 Master Plan are still needs today and will carry forward.

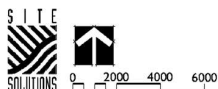
Map A2: 2008 Recreation and Parks Master Plan - Existing and Proposed Facilities

City of Greenville
Recreation and Parks Department
Recreation and Parks Master Plan



Existing & Proposed Facilities

- | | | | | |
|---|--|--|--|--|
| Mini Parks ■■■■
1 Belmont / Dream Park
2 Hillsdale Playground
3 Peppermint Park
4 Tobacco Road Park
5 Westhaven Park
6 Woodlawn Playground | Neighborhood Parks ■■■■
7 Andrew A. Best Freedom Park
8 Greensprings Park
9 Jaycee Park
10 Paramore Park
11 South Greenville Park / Center
12 Thomas Foreman Park / Eppes Recreation Center | Community Parks ■■■■
13 Elm Street Park / Center / Gym
14 Evans Park
15 Greenfield Terrace / Community Center
16 H. Boyd Lee Park
17 West Meadowbrook Park / Disc Golf Course
Regional Parks ■■■■
18 River Park North Science Nature Center | Sports Complexes ■■■■
19 Bradford Creek Soccer Complex
20 Guy Smith Stadium Park / Pool
21 Perkins Little League
Special-Use
22 Beatrice Maye Garden Park
23 Bradford Creek Golf Course
24 Greenville Aquatics and Fitness Center
25 Offleash Dog Area | Special-Use
26 River Birch Tennis Center
27 Sports Connection
28 Teen Center / Perkins Field Sports Connection
29 Town Commons
30 Walter L. Stasavich Science Nature Center
Existing Undeveloped Parks ■■■■
31 Phil Carroll Nature Preserve |
|---|--|--|--|--|





Demographic Analysis

Overview

Demographic trends can provide valuable insights for long-range planning by helping to identify potential shifts in population, age distribution, and other key factors that can impact a community or organization's future needs and priorities. Analyzing population growth or decline can help the City to anticipate changes in demand, recreation programming, or amenities. Similarly, examining age distribution can inform decisions about new programming needs. By taking into account demographic trends, the City can better anticipate future challenges and opportunities and develop more effective strategies to meet the needs of residents.

Population Growth

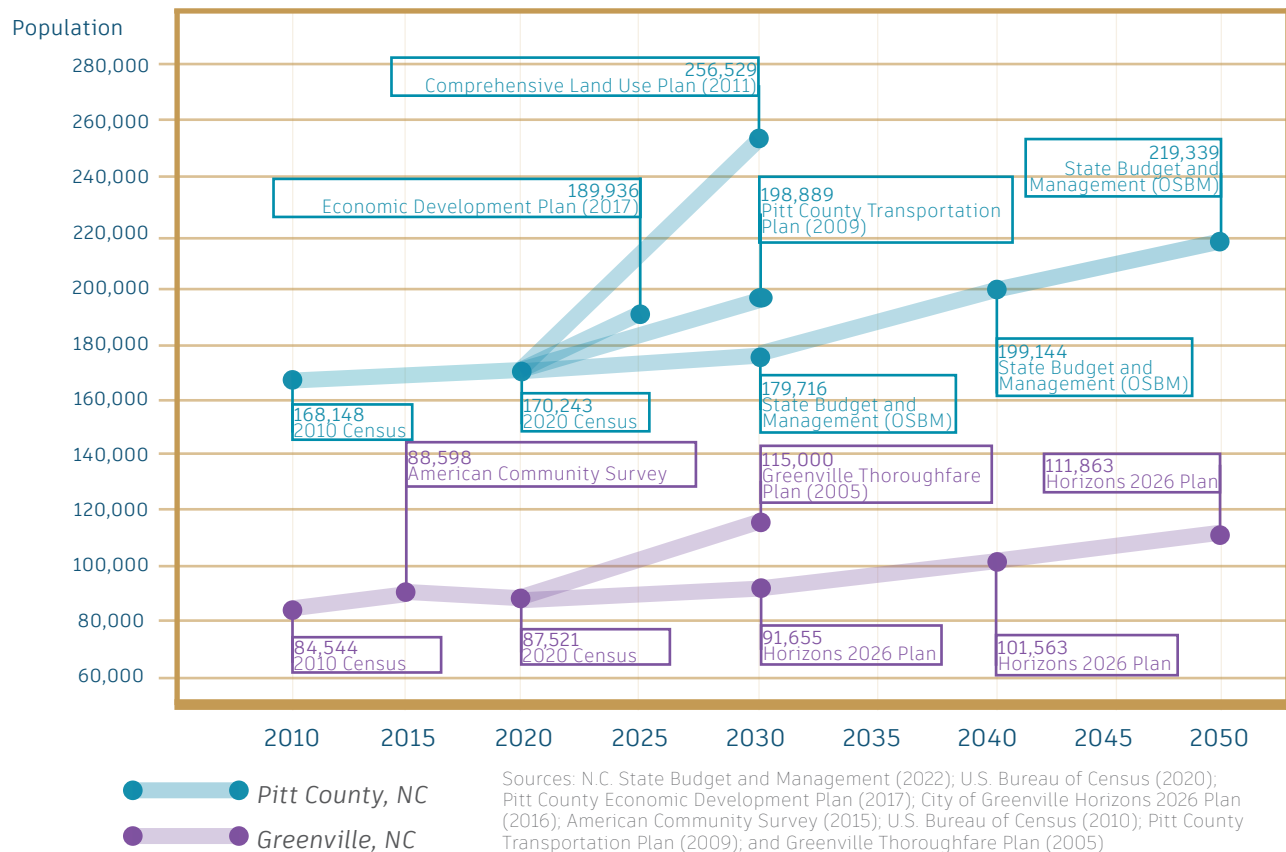
The future remains bright for the City of Greenville when it comes to population growth. Between 2000 and 2010, the City enjoyed significant growth which plateaued in 2020. This slowdown in growth appears to be short lived as projections across all guiding documents point to long-term population growth. **Figure B1** identifies estimates for population growth for both Pitt County and the City based on various tracks of projection by different guiding documents. For the purpose of this master plan, the City's estimates based upon the Horizons 2026 Plan are utilized. For all projections regarding Pitt County, North Carolina Office of State Budget and Management (OSBM) information is cited. Greenville is projected to increase in population by over 14,000 residents, a 16%+

Key Takeaways:

- Greenville is projected to grow at twice the rate over the next decades as compared to previous decade.
- Additional population growth will necessitate additional parkland.
- Late teens and college aged youth (15-24 years old) are the largest age group in the city at 23.8% of all residents.
- Seniors, aged 65+, are the fastest growing age group in the city, nearly double the growth rate as the state average.
- Neighborhoods are highly segregated; so there is an increased need to provide neighborhood-level unique offerings.
- Household wealth is concentrated in the periphery neighborhoods where there are fewer opportunities and access for recreation in public parks.

increase by the year 2040. This represents twice the rate of growth as experienced between 2000-2010. As the City's population continues to grow, additional parkland will be needed to maintain existing quality and access to recreation opportunities for residents.

Figure B1: Historical and Projected Population Trends for City of Greenville and Pitt County



Age

Age group trends assist in informing programming for recreation facilities and parks. Figure B4 presents age group trends that are notably above or below state rates. Population trends show there is a 45% growth rate of residents in the 65+ age range, which is more than 20% higher than the state average growth rate from 2010 to 2022. Conversely, there is a higher than state average loss of residents age 10-19 and 20-24. Despite the negative trend of residents ages 10-24, residents age 15-24 make up the majority of all residents at nearly 24% of the total population. Figure B3 indicates the percentage of age groups in comparison to state averages. Map B2 geographically identifies the density of youth population in relation to park locations. Concentrations of youth population can be observed in neighborhoods with limited or no existing parks.

Race and Ethnicity

Figure B5 contains three maps illustrating density of the African-American, Hispanic/Latino, and White populations across the City based on data from the 2020 Census. The highest density of the African-American population is located in the southwestern quadrant of the city, while the highest density of the Latino population is located in a few separated areas on the edges of the City and centrally in the northeast quadrant. Areas with the highest density of White population are primarily the southern outskirts of the city and in the east.

These maps are key to evaluating equity of park access and park quality. The largest of Greenville's existing natural parks are along the Tar River, which is most directly accessible to the Hispanic communities. Larger sports facilities are located on the



Map B2: Youth Population Density; U.S. Census Bureau 2020

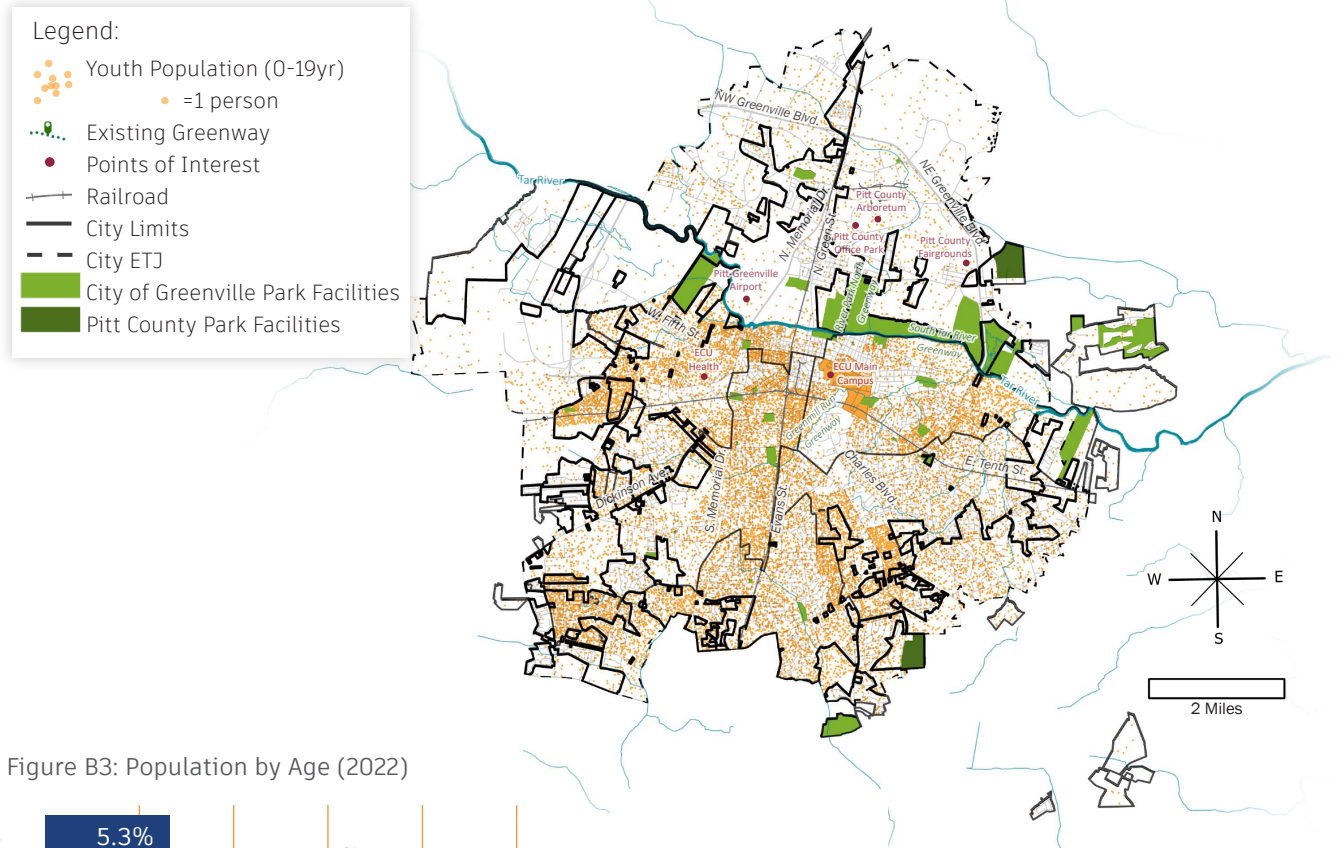
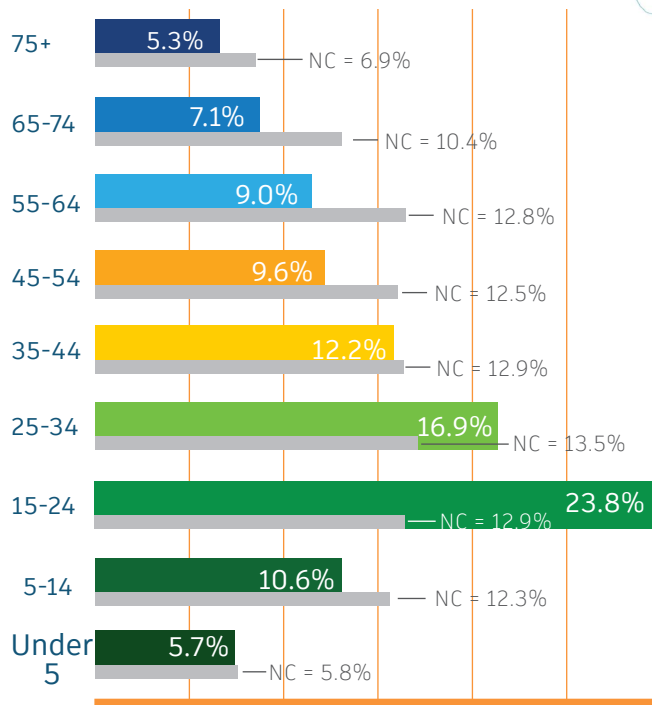
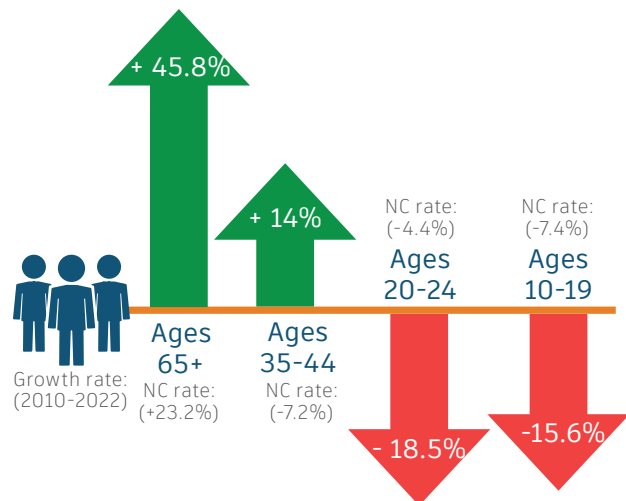


Figure B3: Population by Age (2022)



Sources: U.S. Census Bureau 2010 decennial Census data converted by Esri

Figure B4: Age Group Growth Rates (2010-2022)



Sources: Esri forecasts for 2022 and 2027. U.S. Census Bureau 2010 decennial Census data converted by Esri

outside edges of the City, making them more accessible to visiting teams but less accessible to residents located centrally in the city. Neighborhood parks are concentrated centrally to the City making them most accessible to those attending ECU and a portion of the African-American population.

Household Income

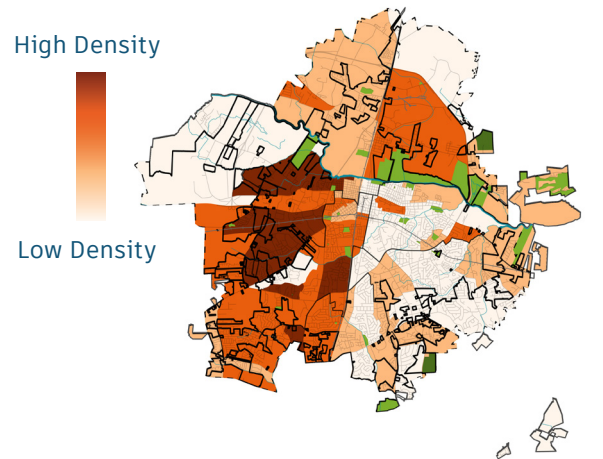
Map B6 shows the dispersion of wealth across the city by Median Household Income based on the 2020 Census. The wealth mostly exists along the outside edges of Greenville with the highest averages in the northwestern quadrant. The higher income areas have few neighborhood and community parks. This suggests that there may be fiscal support for new park facilities or program fees to support further development of more immediate park facilities. The lower income areas of Greenville are concentrated centrally, consistent with where there are the highest levels of parks.

Figure B7 identifies the percentage of population by annual household income, the largest of which, 26.4%, is less than \$24,999 annually. Although the highest concentration of parks is in the central neighborhoods of the city, these areas are the most densely populated. Residents in these areas are also more likely to be able to walk to a park. Additionally, these parks are likely more heavily utilized but will face capacity challenges as redevelopment in the area continues.

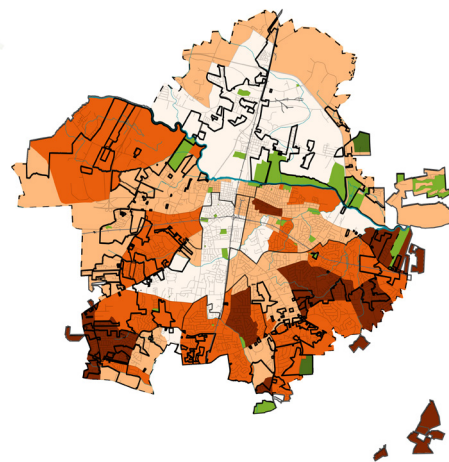
Conclusion

Demographic analysis indicates Greenville will grow to a population of more than 100,000 by the year 2040. As the population of the city continues to grow, so will the need for the parks and recreation system. Emphasis should be placed on providing new facilities where growth occurs as well as reinvestment and diversification of opportunities throughout the city.

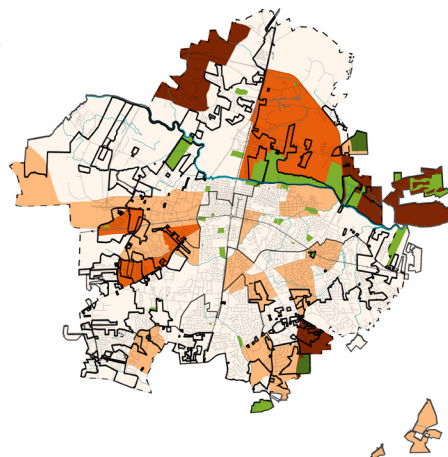
Figure B5: Race and Ethnicity; U.S. Census Bureau 2020



African-American Population



White Population



Hispanic/Latino Population



Map B6: Median Household Income; U.S. Census Bureau 2020

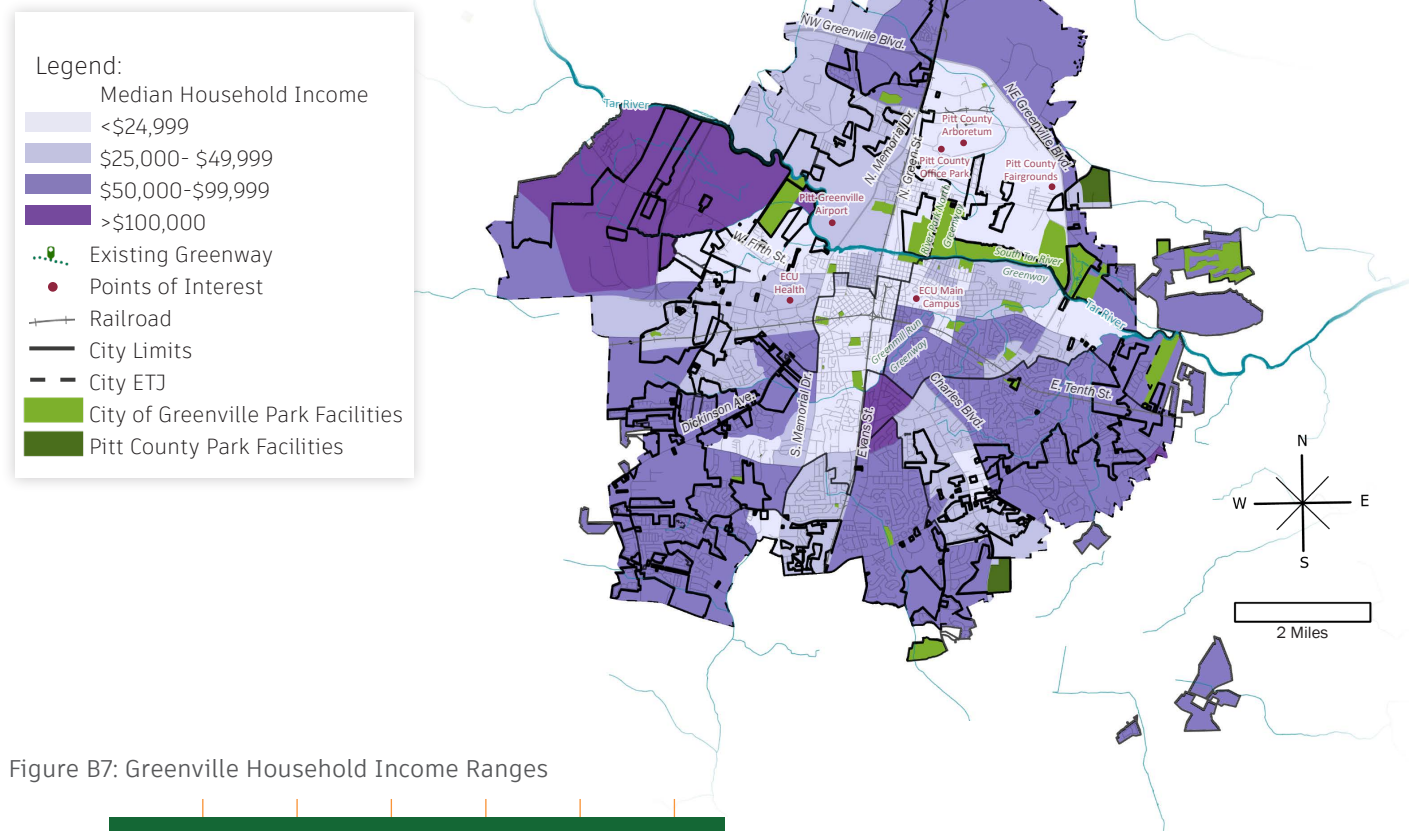
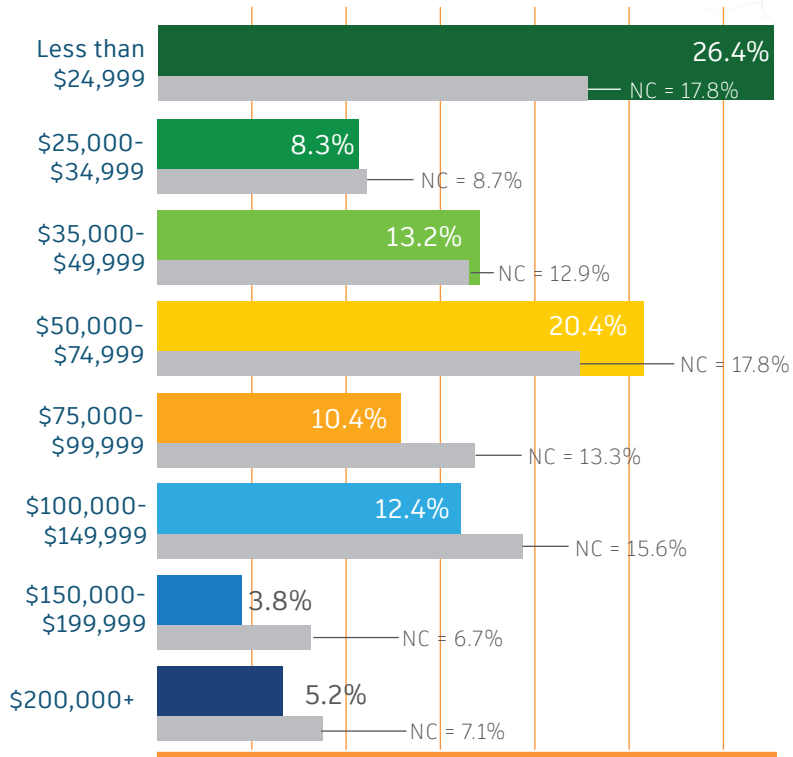
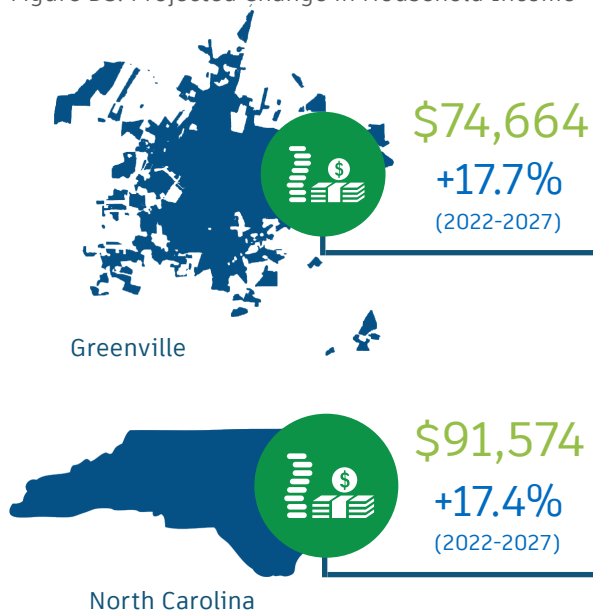


Figure B7: Greenville Household Income Ranges



Sources: U.S. Census Bureau 2010 decennial Census data converted by Esri

Figure B8: Projected Change in Household Income



Sources: Esri forecasts for 2022 and 2027. U.S. Census Bureau 2010 decennial Census data converted by Esri



River Park North Fishing Dock



Park Evaluations

Overview

Park evaluations were completed as qualitative and quantitative inventories of existing park facilities. More than 1,400 acres of City parks were evaluated and categorized by park classification based on programming and size. These typologies include:

- Mini Parks
- Neighborhood Parks
- Community Parks
- Regional Parks
- Sports/Facilities

Map C1 identifies existing parks. All parks were visited and rated against a set criteria in order to evaluate quality and inventory of existing facilities.

Key Takeaways:

- Parks in Greenville scored exceptionally high in condition, representing a high-level of maintenance and standards of operations.
- Generally, newer parks, and parks with the most amenity options, and parks available to visitors that include enhancements to pedestrian connectivity scored the highest.
- Areas of sustainability and resiliency represent the majority of opportunities for improvement across the city's parks; followed by access and linkages.

Highest Scoring Parks



Town Common



Greensprings Park



Jaycee Park

River Park North

Lowest Scoring Parks



Kristin Drive Park



Guy Smith Park



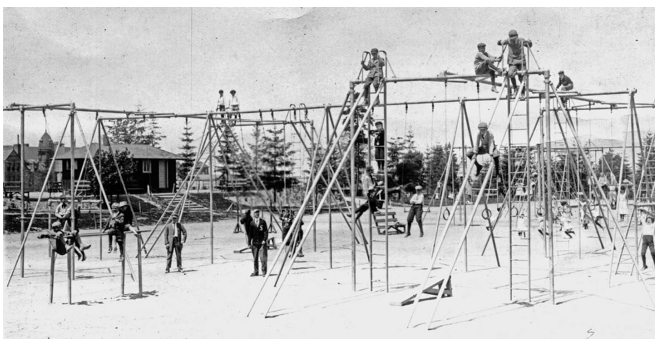
Matthew Lewis Park

Evolution of Public Parks in the United States:

Public parks in the United States have evolved significantly over time, both in terms of their functions and their use. In the early days of the country, parks were primarily seen as a way to preserve natural landscapes and provide a respite from the hustle and bustle of urban life. During the 19th century, many large parks were established in major cities, such as Central Park in New York City, with the goal of providing a place for people to enjoy nature, relax, and escape the crowded conditions of the city.

Over time, the functions of public parks expanded to include a wide range of recreational activities. Parks have become an important resource for health and wellness, with many offering walking trails, fitness classes, and other opportunities for physical activity. Parks have also become a destination for cultural events and festivals, with many parks hosting concerts, art shows, and other community events.

The use of public parks has also changed over time. Historically, parks were primarily used by the wealthy and middle class, who had the leisure time and means to enjoy them. However, as the working class grew, parks became more accessible to a wider range of people. Today, parks are used by people of all ages and backgrounds, and they serve as an important resource for people of all income levels.



Chicago 1912 – Library of Congress

Parks have also played an important role in the history of social and political movements in the United States. Many parks have been the site of protests, rallies, and other public gatherings, and they have been an important venue for the exercise of free speech and the right to assemble. Additionally, parks have been an important resource for marginalized communities, providing a space for socializing and gathering, and have been an important tool in the fight for racial and social justice.



Canal Park Washington DC –LandscapePreformance.org

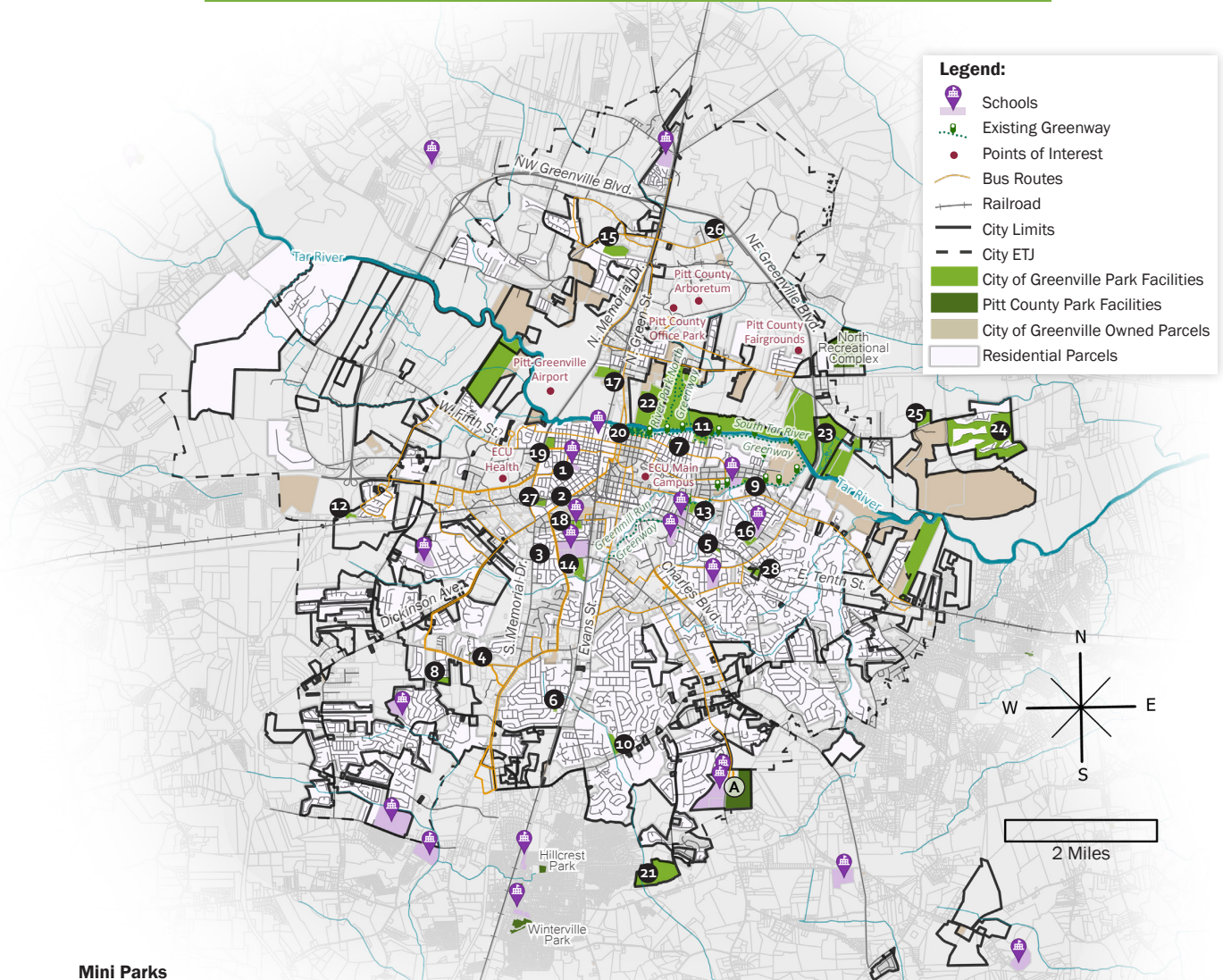
Despite the evolution of public parks functions and use, challenges remain. Parks have been underfunded in the past, and many are in need of repair and maintenance. Additionally, access to parks is not equal across all communities, with low-income and marginalized communities often having less access to parks and green space. Furthermore, in recent years, the use of public spaces has increased, leading to overcrowding and social distancing challenges during the pandemic.

Overall, public parks in the United States have evolved over time, from being primarily a place for the wealthy to enjoy nature, to being a vital community resource. Today, people of all ages and backgrounds enjoy a wide range of recreational activities, while parks serve as a platform for cultural events, political movements, and community gatherings. Though challenges remain, public parks continue to be an important resource for the health and well-being of individuals and communities.



Map C1

Greenville North Carolina | Parks and Open Spaces



Mini Parks

- 1 Beatrice Maye Garden Park
- 2 Dream Park
- 3 Hillsdale Park
- 4 Kristin Drive Park
- 5 Peppermint Park
- 6 Westhaven Park
- 7 Woodlawn Park

Neighborhood Parks

- 8 Andrew A. Best Freedom Park
- 9 Greensprings Park
- 10 Paramore Park
- 11 Rivers Edge Park
- Greenville Off Leash Dog Park
- 12 Westpointe Park

Community Parks

- 13 Elm Street Park
Drew Steele Center
- 14 Evans Park
River Birch Tennis Center
- 15 Greenfield Terrace
Barnes-Ebron-Taft Community Center
- 16 Jaycee Park
Center for Arts and Crafts
Extreme Skate Park
- 17 Matthew Lewis Park
West Meadowbrook Park
- 18 South Greenville Park
and Recreation Center
- 19 Thomas Foreman Park
Eppes Recreation Center
Greenville Outdoor Aquatic Center
- 20 Town Common

Regional Parks

- 21 H.Boyd Lee Park
- 22 River Park North
Walter L. Stasavich Science
and Nature Center
- 23 Wildwood Park

Sports/Facilities

- 24 Bradford Creek Public Golf Course
- 25 Bradford Creek Soccer Complex
- 26 Greenville Aquatics and Fitness Center
- 27 Guy Smith Park
- 28 Perkins Athletic Complex
Magnolia Arts Center
Sports Connection

Other Parks

- A Alice F. Keene District Park

Park Classifications

Small neighborhood parks to large regional parks serve the visitors differently. Defining park classifications assists in the evaluation of how each park is meeting community needs.

Mini Parks

Size: <0.5 acres
Service Area: 0.5 mile

The smallest park classifications, mini parks may have benches, shade trees, or small playgrounds accessible to immediate residents by walking or biking.



Westhaven Park; Nearmap Image (2022)

Neighborhood Parks

Size: 0.5-5.0 acres
Service Area: 0.5 miles

Neighborhood Parks serve nearby residents by providing recreation opportunities within walking distance. These parks may have small athletic courts, playgrounds, or open lawn space.

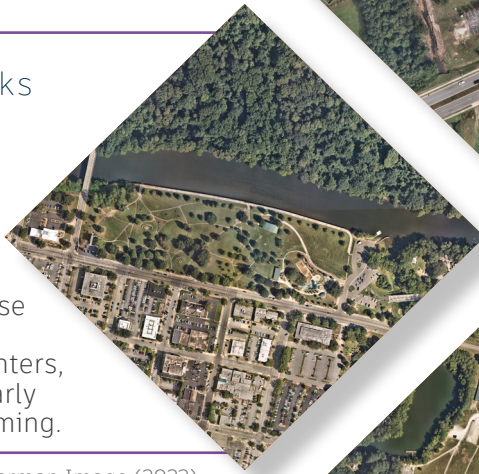


Paramore Park; Nearmap Image (2022)

Community Parks

Size: 5.0-20 acres
Service Area: 1 mile

Community parks provide open space to residents across the city. These types of parks may have community centers, restrooms, or regularly scheduled programming.



Town Common; Nearmap Image (2022)

Regional Parks

Size: 20+ acres
Service Area: 3 miles

Regional Parks are the largest park classification recognized as a county or state resource. These parks may be large natural areas programed as passive recreation with seasonal programming.



River Park North; Nearmap Image (2022)

Sports/Facilities

Size: 5.0+ acres
Service Area: 3 miles

Sports and Sports Facilities may have several regulation size athletic fields, courts, lighting, restrooms, parking, and concessions. These parks may be focused on one sport or many.



Guy Smith Park; Nearmap Image (2022)



Park evaluations are an extension of a quality Level of Service measurement. During an evaluation, each park's performance is rated across six categories and 40 topics. The final product provides a weighted score from 0-100 for each park which is mapped (**Map C2**) and geographically evaluated for neighborhood-level and city-wide trends. The criteria is intended to objectively observe parks both individually and as a system.

The criteria used is based in part on guidelines developed by Project for Public Spaces (PPS), a non-profit organization dedicated to helping communities create and sustain public spaces that build stronger communities. For each question, parks are assigned a rating based on observation at the time of the park visit. Ratings are based on a scale of 1-5, with 1 representing the lowest and 5 representing the highest. A rating of “n/a” indicates that the criteria was not applicable and is not included in final ratings.

Final ratings are weighted to a scale of 0-100, with 100 being the highest possible. Ratings are based on observations made during a limited time period and are intended to provide information regarding trends for individual parks or across the park system only. Map C2 shows individual evaluation scores for parks.

The following section details the scoring range of evaluations. The six categories of evaluation include:

- Design and Construction
- Effectiveness
- Condition
- Comfort and Image
- Access and Linkage
- Sustainability and Resiliency

Parks with scores in this category are defined as parks that have new or recently enhanced facilities or features, that are readily accessible through multiple modes of transportation, exhibit multiple features that enhance the comfort and experience of park users, and exhibit a maintenance quality that meets or exceeds standards of the city.

Parks with scores in this category are defined as parks that have serviceable facilities or features providing functional recreational access for the public, and are accessed primarily by vehicle with some connections to adjacent neighborhoods. These parks exhibit few features that enhance the comfort and experience of park users beyond a minimal recreational access capacity. They also exhibit a maintenance level sufficient for the uses in the park, but may benefit from additional maintenance.

Parks within this score category are generally defined as parks with facilities or features that have exceeded their functional life span and/or need enhancement or replacement to provide functional recreational access for the public. These parks exhibit few,

if any, features that enhance the comfort and experience of park users and exhibit a maintenance level insufficient to continue to provide the desired uses and recreational access.

Example of Park Evaluation Form

Map C2

Greenville North Carolina | Park Evaluation Results





Successes

Condition **89/100**

- High quality maintenance
- High level of pride and satisfaction
- Minimum site improvements needed

Effectiveness **81/100**

- High level of use
- Range of choices in activities
- Balance of active & passive options

Design & Construction **81/100**

- Recent improvements
- Clear branding
- Meets needs of users

Comfort & Image **78/100**

- Adequate places to sit
- Clean and free of litter
- Minimum vehicle presence in site



Opportunities

Economic Sustainability **41/100**

- Create revenue generating opportunities
- Promote or support permanent jobs
- Contribute to increasing property value

Environmental Sustainability **54/100**

- Improve water quality
- Contribute to biological diversity
- Enhance environmental knowledge

Access & Linkage **72/100**

- Clear and useful wayfinding
- Easily accessible to pedestrians
- Connect to nearby transit stops

Figure C3: Park Evaluation Category Score Highlights

Conclusion

Figure C3 highlights categories with the highest and lowest scores across the city. The categories with the highest scores represent successes while the lowest scores represent opportunities for improvements.

Across all park typologies, parks are notably well maintained and are actively being improved. Parks are heavily used but are not well connected for pedestrian access. Sustainability is where the largest opportunity for improvement exists within existing parks.

In general, Greenville offers a great mix of park types. Newer parks and/or those which offer the greatest range of amenity choices and the best connections to surrounding neighborhoods scored the highest. Parks which are typically older and/or single use with little choice in amenities scored lowest. Improvements to lower scoring parks can typically consist of evaluating choices in offerings, adding additional amenities to better serve a diversity of needs, enhancing pedestrian connectivity, and implementing lifecycle capital replacement of existing amenities.



Town Common River Front Promenade



Level of Service Analysis

Overview

The purpose of a Level of Service (LOS) Analysis is to quantify how well the existing parks system is meeting the needs of residents. The National Recreation and Park Association's definition of LOS analysis is "an allocation mechanism for the delivery of park land and basic recreation facilities throughout a community. By adoption of such a standard, a community in essence says that all citizens

, [...], will have an equal opportunity to share in the basic menu of services implicit in the standard and accompanying spatial distribution and allocation of policies."

LOS analysis was measured based on four concepts:

- **Acreage (Amount of Park Land)**
Every resident should have similar opportunities to park land.
- **Facilities (Number of Facilities)**
Every resident should have similar opportunities to use recreation facilities.
- **Funding and Staffing**
Every resident should enjoy comparable level of funding spent on capital and operations.
- **Access (Distance or Travel Time)**
Every resident should be able to access specific park facilities within similar walking, bicycling, public transit and/or driving distances.

Key Takeaways:

- Greenville provides twice as much parkland as in-state peer communities and 60% more than national averages.
- Future development of existing City-owned parkland will meet a majority of passive park use needs by 2040 as the city grows. An additional 66+ acres of mini, neighborhood, community, and sports parks will still be needed.
- Passive regional parks represent 66% of all parkland in Greenville.
- There is a current shortage of multipurpose fields compared to national averages.
- Future recreation facility needs include multipurpose fields, pickleball courts, playgrounds, picnic shelters, and basketball courts.
- Staffing levels are below peer communities (6 FTE) and national (17 FTE) averages.
- Funding is 8-16% below peer and national averages respectively.
- The Greenville Recreation and Parks Department is currently maintaining a park system that is twice the size of peer communities with less staff and lower funding per capita.
- Access to parkland is most limited in the southern and western neighborhoods of the city.

Acreage Level of Service

The most common way to measure LOS for existing acreage is number of park acres per 1,000 residents in a community. What does this measurement mean? A general lack of national standards in definition of what should count as parks results in difficulty in comparing figures with peer communities or establishment of a national benchmark. Analysis, however, can identify local trends and result in standards that meet the needs and desires of residents for the long-term vision of the community.

The best acreage LOS standard for the City is ultimately based on public input and what the community desires. By using population estimates and acreage figures, an acreage LOS calculation can be obtained, see **Figure D1**. The current Acreage LOS for Greenville is 15.0 acres of developed park land per 1,000 residents.

The Phil Carroll Nature Preserve (181 acres with no public access), Eastside Park (119 acres with public access) and Staton Road Park (5 acres) are undeveloped parkland owned by the City and lack any amenities. If developed,

two of the sites would fall within the regional park typology as they are natural areas and with planned passive recreation uses, similar to River Park North. Additionally, both sites are prone to significant impacts from flooding due to their location adjacent to the Tar River.

The City's acreage LOS is currently higher than both national (9.20 acres per 1,000 population) and peer communities (7.19 acres per 1,000 population) averages. As the City's population is projected to grow, the existing acreage LOS will decrease unless additional parkland is developed. In order to maintain the currently provided Acreage LOS, the City would need to provide an additional 66.88 acres of neighborhood, community, and sports parks by 2040. The largest future need for 138 acres of regional parks can be met by developing the existing undeveloped parkland at Phil Carroll Nature Preserve and Eastside Park.

Comparatively, Greenville is currently providing more than twice the acreage LOS than peer communities. This underscores the high local demand for parkland and the higher percentage of regional parks that represent parkland in Greenville compared to other communities.

Figure D1: City of Greenville Acreage LOS by Park Type

		City of Greenville 2020 Level of Service (Pop. 87,521)*			2040 - City of Greenville LOS (Est. 101,563 Pop.)**	
Park Types	Acreage	2020 LOS (acres/1000 pop)	NRPA 2022 LOS (acres/1000 pop)***	Average LOS of Peer^ Communities	Additional Acreage Needed to Meet Existing City LOS ^^	Acreage Needed to Meet Peers LOS
City Parks						
Neighborhood & Pocket Parks	75.6	0.86			12.13	
Community Parks	145.3	1.66			23.31	
Regional Parks	864.9	9.88			138.77	
Sports/Facilities	225.8	2.58			36.23	
Developed Parkland Total:	1,311.67	15.0	9.20	7.19	210.45	-791.88
Undeveloped Parkland	305.6	3.49			-143.77	
All Parks Total:	1,617.27	18.5			66.68	

Notes: *Source: US Census Bureau; ** Source: Horizons 2026 Community Plan, *** National Recreation and Park Association Agency Performance Review Median Number per Facilities per 1,000 population for jurisdictions with population between 50,000 to 99,999; ^ Peer Communities include: **Wilmington, Asheville, High Point, Gastonia, Jacksonville, Concord** ; ^^ City owns 300 acres of undeveloped regional passive parkland which contributes to future needs, but does not provide Neighborhood/Pocket Park, Community Parks or Sports Parks acreage



Facility Level of Service

The second LOS measurement analyzes the provision of facilities on a per capita basis. From fishing docks and trails within Wildwood Park, to recreation centers in H. Boyd Lee Park, to the many playgrounds across neighborhood parks, existing parks provide a wide range of recreation facilities.

Similar to the acreage LOS analysis, there are no national standards for facility LOS goals. Each community's provision of facilities is intended to meet local needs; however, the measurement can be utilized to compare Greenville to national averages.

Facility LOS is determined by quantifying the number of facilities provided per capita. Data collected through park evaluations and from Department staff populated an inventory of existing recreation facilities.

Figure D2 compares the City's existing facilities to national standards and projects needs for 2040 as the city continues to grow. Results indicate that residents enjoy a surplus of recreation facilities when compared to 2022 National Recreation and Park Association (NRPA) average. Compared to national average, the City is only in need of additional multipurpose fields, playgrounds, and pickleball courts. Highest needs are for multipurpose fields and pickleball courts, with both potentially currently needing six additional and growing to seven each as 2040 population projections are included. Playgrounds have the next highest facilities with three needed currently, growing to seven by 2040.

By maintaining existing facilities LOS as the city continues to grow or benchmarking local standard to national averages, both

Figure D2: City of Greenville Facility LOS

Facility Type	Existing Number of Facilities	2022 Comparison to NRPA Averages	Additional Facilities by 2040 Needed to meet NRPA Average
Athletic Fields			
Baseball (Adult & Youth)	11	0	2
Multi-Use Softball	8	(1)	1
Multipurpose (Soccer, etc.)	5	6	7
Sport Courts			
Basketball Courts	8	2	4
Tennis Courts	18	(4)	(2)
Volleyball Courts (sand)	4	0	0
Pickleball Courts (outdoor)	1	6	7
Facilities			
Picnic Shelters (small and large)	29	n/a	n/a
Playgrounds	20	3	7
Community Centers	8	(6)	(6)
Rec. Ctrs./Gymnasiums	5	(3)	(3)
Nature Center	1	0	0
Amphitheaters	2	(1)	0
Specialty			
Restrooms (indoor/outdoor)	23	n/a	n/a
Dog Parks	1	n/a	n/a
Aquatics			
Pools (indoor/outdoor)	2	0	1
Spray Pad/Spray Feature	1	n/a	n/a

Figure D2 Legend

- Meets needs or surplus of facilities
- Minimum level of need
- High level of need

Notes: *Number of facilities per 1,000 population; ** National Recreation and Park Association Agency Performance Review Median Number per Facilities per 1,000 population for jurisdictions with population between 50,000 - 99,999.

actions would result in the need for most types of outdoor athletic facilities, as well as, picnic shelters, restrooms, and indoor recreation facilities and community centers will be needed. Other providers, such as the NC Wildlife Resources Commission's Port Terminal boat and kayak launch facility, are examples of partnerships that can provide public access to recreation amenities.

Staffing and Funding Level of Service

The third LOS measurement analyzed was staffing and funding. **Figure D3** identifies developed acres per full-time equivalent (FTE) staff member, FTE per 10,000 residents, and expenditures per capita compared to national and peer averages. This measurement method helps to identify how Greenville is funding and staffing parks and recreation facilities compared to other providers.

Though Greenville provides twice as many acres of parkland per 1,000 population than peer communities, and 60% more than national averages, staffing and expenditures on a per capita basis in Greenville are lower. Additionally, as noted in the park evaluations, the condition of parks and recreation facilities is noted as exceptionally high in Greenville. In essence, Department staff are maintaining

twice as much parkland as peer agencies and doing so at a high level of quality. The City has acquired a significant amount of passive parkland in the last ten years, but staffing levels have remained consistent. Comparing staffing levels to average peer communities, Greenville has 6.7 FTE fewer positions, and 17.8 FTE positions below national averages.

Expenditures on recreation and parks (salaries, fringe, and capital investment) on a per capita basis for Greenville are similar to staffing, below both peer communities and national averages. Compared to peers, Greenville would require \$670,693 in additional funding to match per capita levels. This does not factor that with less per capita funding, Greenville is maintaining and operating twice as much parkland. Compared to national averages, this deficit in funding grows to \$1.2 million. Greenville is therefore underfunding parks and recreation compared to peer communities and national averages by between 8-16%.

An important note is that Department funding for 2023, used in the above comparisons, was an increase of 10% from the average annual funding the Department has received since the prior 2008 master plan. If comparing historic funding averages, the deficit from peer communities increases to \$1.3 million and \$1.9 million when compared to national averages.

Figure D3: City of Greenville Staffing and Funding LOS

	Peer Cities (2022)***	NRPA (2022)**	Greenville (2023)*	Needed to Meet Peer Average	Needed to Meet NRPA Average
FTE Staff	84.68	64.10	66.25		
Acres per FTE	7.95	n/a	19.80	98.65	n/a
FTE per 10k Pop.^	8.34	9.60	7.57	6.77	17.77
Expenditures	\$ 9,873,275	\$ 7,330,336	\$ 7,905,239		
\$ per capita	\$ 97.99	\$ 104.38	\$ 90.32	\$ 670,693	\$ 1,230,203

Notes: FTE = Full Time Equivalent; *Source: City of Greenville; ** National Recreation and Park Association Agency Performance Review Median Number per Facilities per 1,000 population for jurisdictions with population between 50,000 to 99,999; *** Peer Communities include: Wilmington, Asheville, High Point, Gastonia, Jacksonville, Concord ; ^Concord contracts aquatics; ^^Developed park land only



Access Level of Service

The final LOS analysis is related to access to parks and recreation facilities. This measurement answers the vital question, How well can residents get to parks? This is typically measured as a distance, either in miles or travel time. Being able to analyze access to parkland and recreation facilities is important for Greenville for the following reasons:

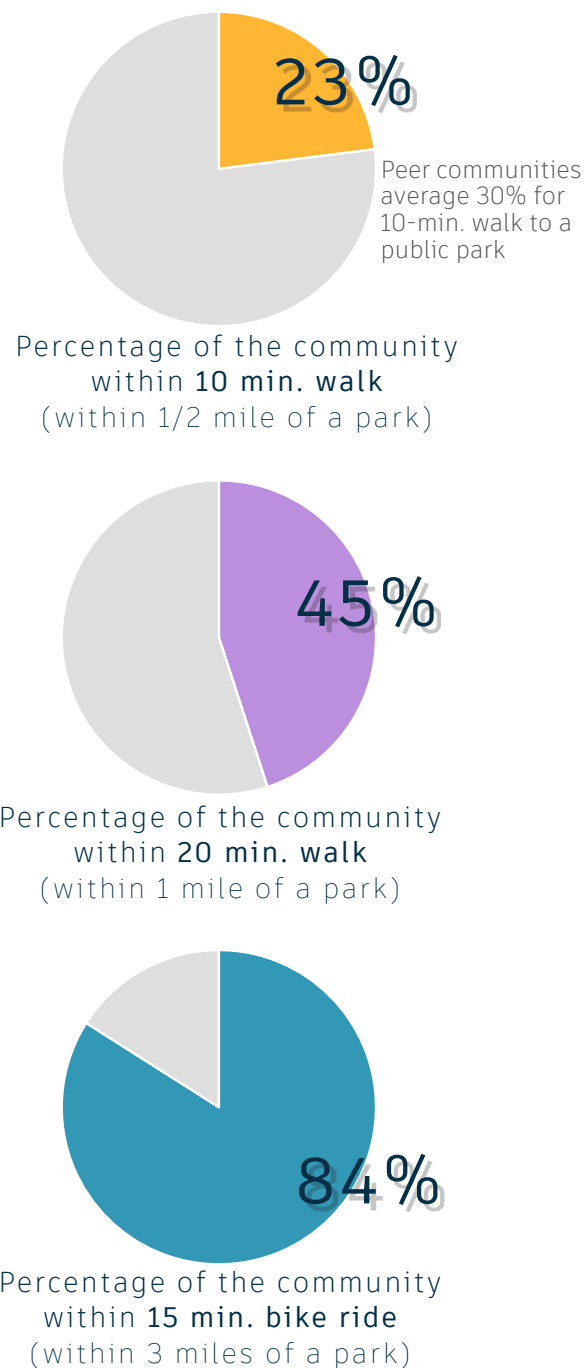
1. The City provides an above-average amount of parkland to residents compared to peers, but not all residents share in ease of access.
2. As shown in the demographic analysis, the City remains highly segregated by neighborhoods. Ensuring each neighborhood has access to parkland and recreation opportunities is an important step toward improvements in social inequities.

How is access determined?

Access LOS can be analyzed by using the City's GIS street network data to measure respective travel distances (1/2 mile, 1 mile, or 3 miles) from park entrance. This creates each park's or recreation facility's service area, or the area in which someone could walk, bike, or drive a reasonable distance to each. Mini and neighborhood parks often have minimum to no parking and smaller programed areas, as they are meant to serve immediate residents; therefore, walking and biking distances are primarily used with these types of parks.

Larger parks or sports facilities are designed to accommodate larger numbers of visitors and, due to their uniqueness and cost to construct and operate, frequently serve a larger area of the community with an expectation that visitors drive, carpool, or take transit to these facilities. Natural barriers such as the Tar River and man-made barriers such as freeways impact the service area for each park or recreation facility and are included in the analysis. The result is a series of true walkshed, bikeshed, and driveshed for each facility.

Figure D4: City of Greenville Access Level of Service (LOS) percentage of geographical area of city with access



Distances used for each park typology are based on typical 1/2 to 1 mile walking range for mini, neighborhood, and community parks. A 10 minute walk translates into a 1/2-mile distance while a 20 minute walk is typically a one mile distance. The 1/2-mile distance also translates into an average 5 minute bike ride. Regional parks and the sports facilities typology rely upon access by biking, driving or transit. Because of this, they are evaluated by a larger, 3 mile service area or a 15 minute bike ride.

Areas outside of the color shaded service areas are not considered to have reasonable access to the identified park or facilities. Alice F. Keene District Park is a Pitt County owned and operated park but is included in this access LOS analysis under 'Other Parks' because of its location within the city limits.

The maps following the conclusion of this section present Access Service Areas by park typologies:

Map D5: Existing Parks LOS
Map D6: 1/2-mile & 1 mile Existing Parks LOS
Map D7: Mini & Neighborhood Parks LOS
Map D8: Community Parks LOS
Map D9: Regional Parks LOS
Map D10: Sports/Facilities LOS

Analysis based on park typologies shows overall park access is most limited to the southwestern and northwestern neighborhoods. The southwestern area is more notable, as it is also more densely populated. Parks accessible by walking or biking are concentrated in the central neighborhoods of the city, and larger regional parks primarily serve eastern neighborhoods of the city. Additional maps show access LOS of specific facilities within park space:

Map D11: Restrooms LOS
Map D12: Playgrounds LOS
Map D13: Wi-Fi LOS
Map D14: Tennis Courts LOS

Map D15: Pickleball Courts LOS
Map D16: Baseball & Softball Fields LOS
Map D17: Basketball Courts LOS
Map D18: Soccer & Multipurpose Fields LOS
Map D19: Picnic Shelters LOS

Conclusion

LOS analyses are measurements intended to evaluate the existing park system through comparison or service area. Through these measurements, Greenville has been identified as meeting or exceeding acreage and facilities per capita averages, specifically when compared to peer communities. As the city continues to grow, it will be important for the City to continue to invest in additional parkland and recreation facilities to maintain LOS measurements.

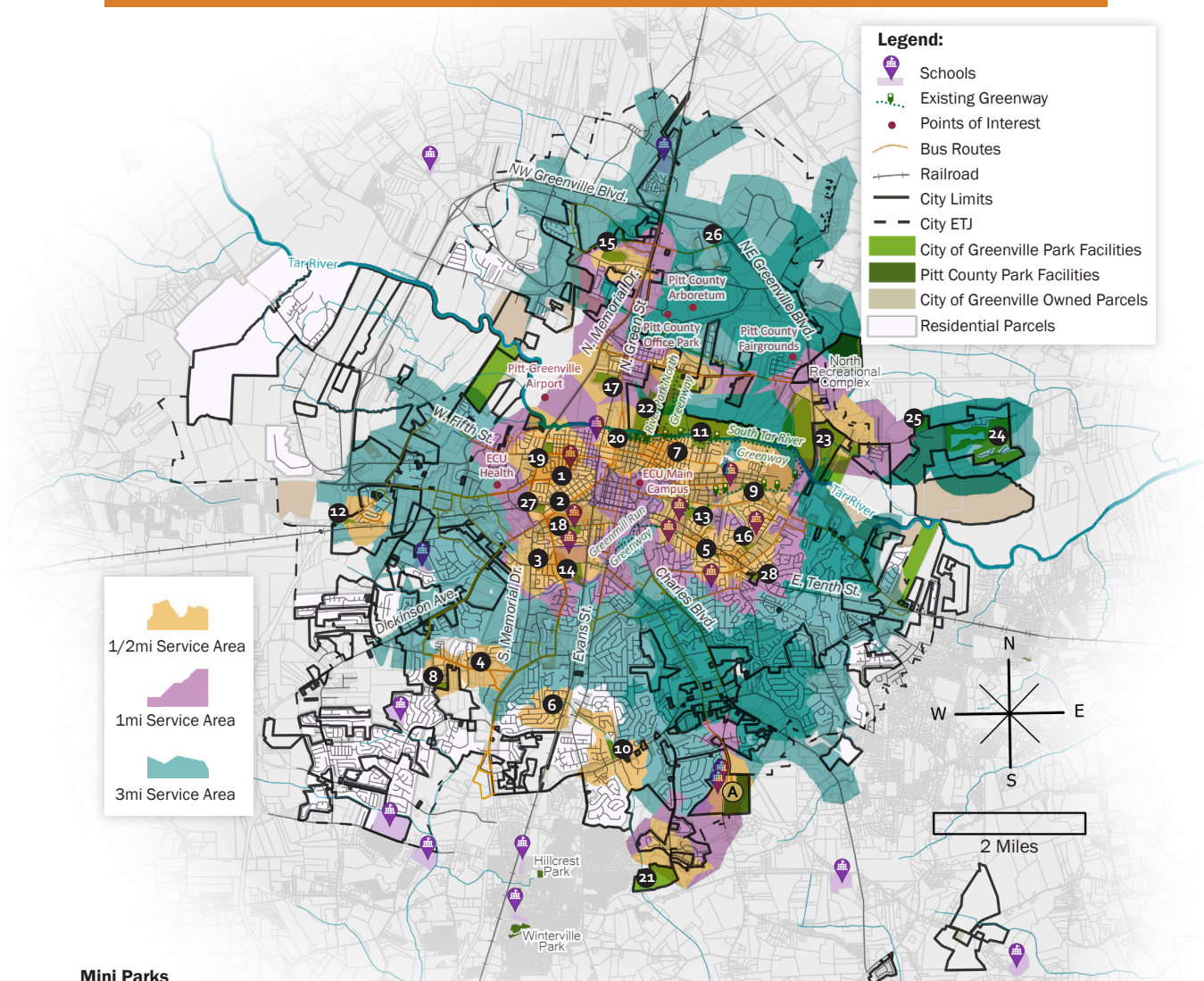
Two measurements identified potential areas of need for Greenville: staffing/funding and access LOS. Greenville is below peer communities (9%) and national average (20%) for staffing, while current staff maintain a park system that is twice the size as peer communities. In addition, funding on a per capita measurement is also below peer communities (8%) and national averages (16%) for jurisdictions the same size as Greenville.

Analysis of access to parks identifies that Greenville trails peer communities when it comes to providing park space within a 10 minute walk of all residents 23% for Greenville compared to 30% for peer communities. Access does increase as the distance to parks is increased; however, on average, less than 10% of the public is typically willing to walk more than 10 minutes to a park.



Map D5

Greenville, NC Recreation and Parks | Existing Parks Level of Service



Mini Parks

- 1 Beatrice Maye Garden Park
- 2 Dream Park
- 3 Hillsdale Park
- 4 Kristin Drive Park
- 5 Peppermint Park
- 6 Westhaven Park
- 7 Woodlawn Park

Neighborhood Parks

- 8 Andrew A. Best Freedom Park
- 9 Greensprings Park
- 10 Paramore Park
- 11 Rivers Edge Park
Greenville Off Leash Dog Park
- 12 Westpointe Park

Community Parks

- 13 Elm Street Park
Drew Steele Center
- 14 Evans Park
River Birch Tennis Center
- 15 Greenfield Terrace
Barnes-Ebron-Taft Community Center
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Center for Arts and Crafts
Extreme Skate Park
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Eppes Recreation Center
Greenville Outdoor Aquatic Center
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Regional Parks

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Sports/Facilities

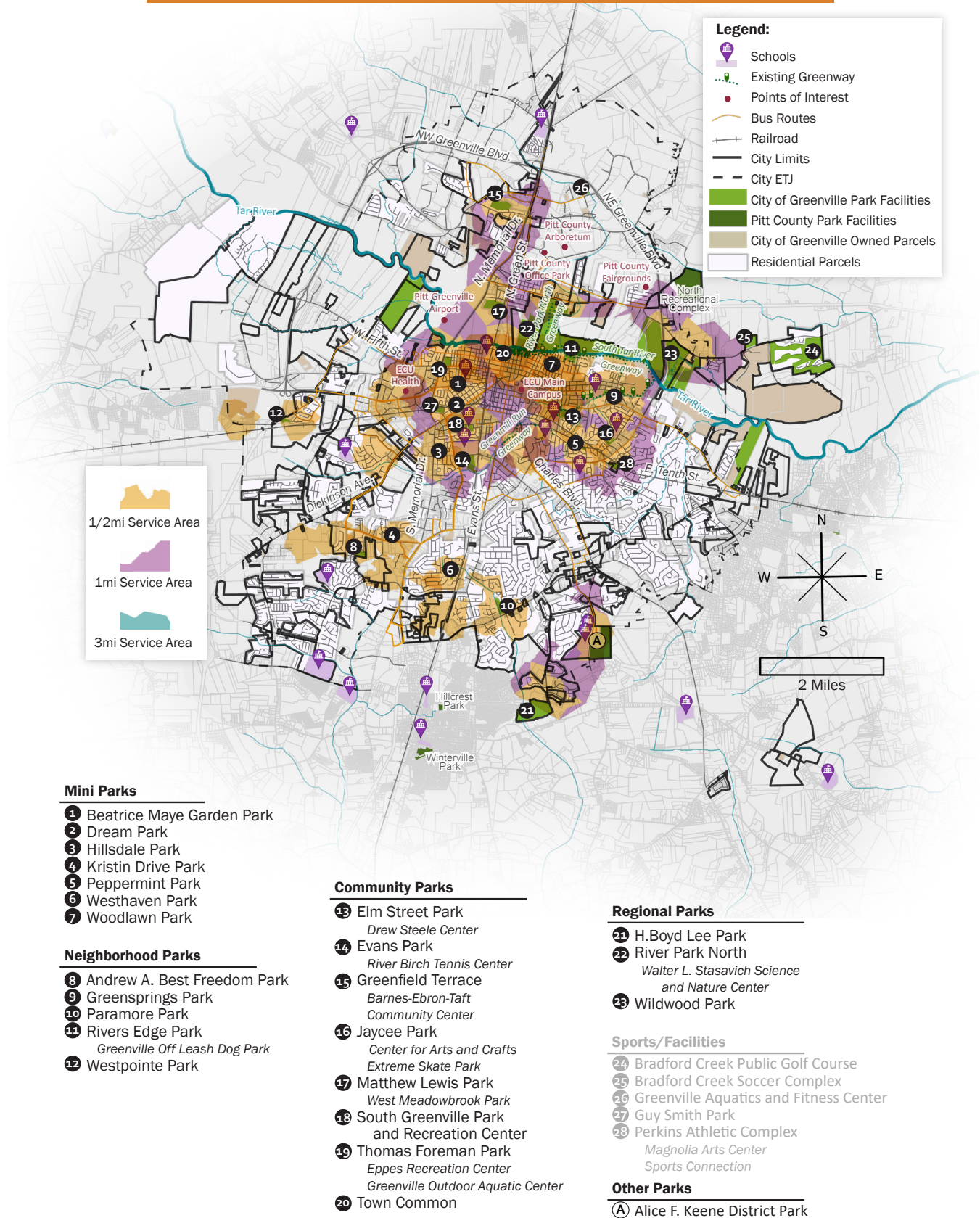
- 24 Bradford Creek Public Golf Course
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- 28 Perkins Athletic Complex
Magnolia Arts Center
Sports Connection

Other Parks

- A Alice F. Keene District Park

Map D6

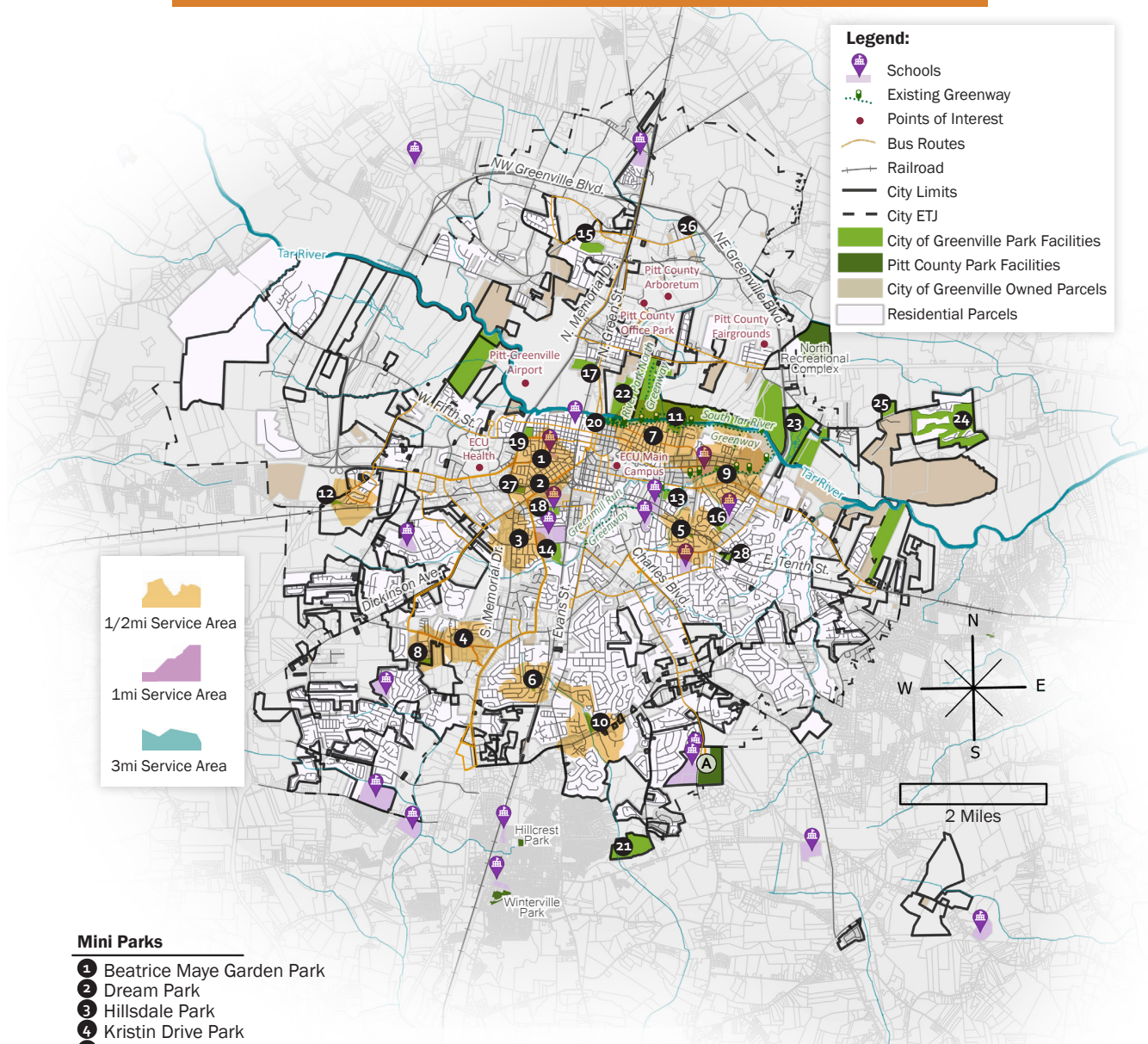
Greenville North Carolina | Level of Service, 0.5mi & 1mi





Map D7

Mini & Neighborhood Parks | Level of Service, 0.5mi



Mini Parks

- 1 Beatrice Maye Garden Park
- 2 Dream Park
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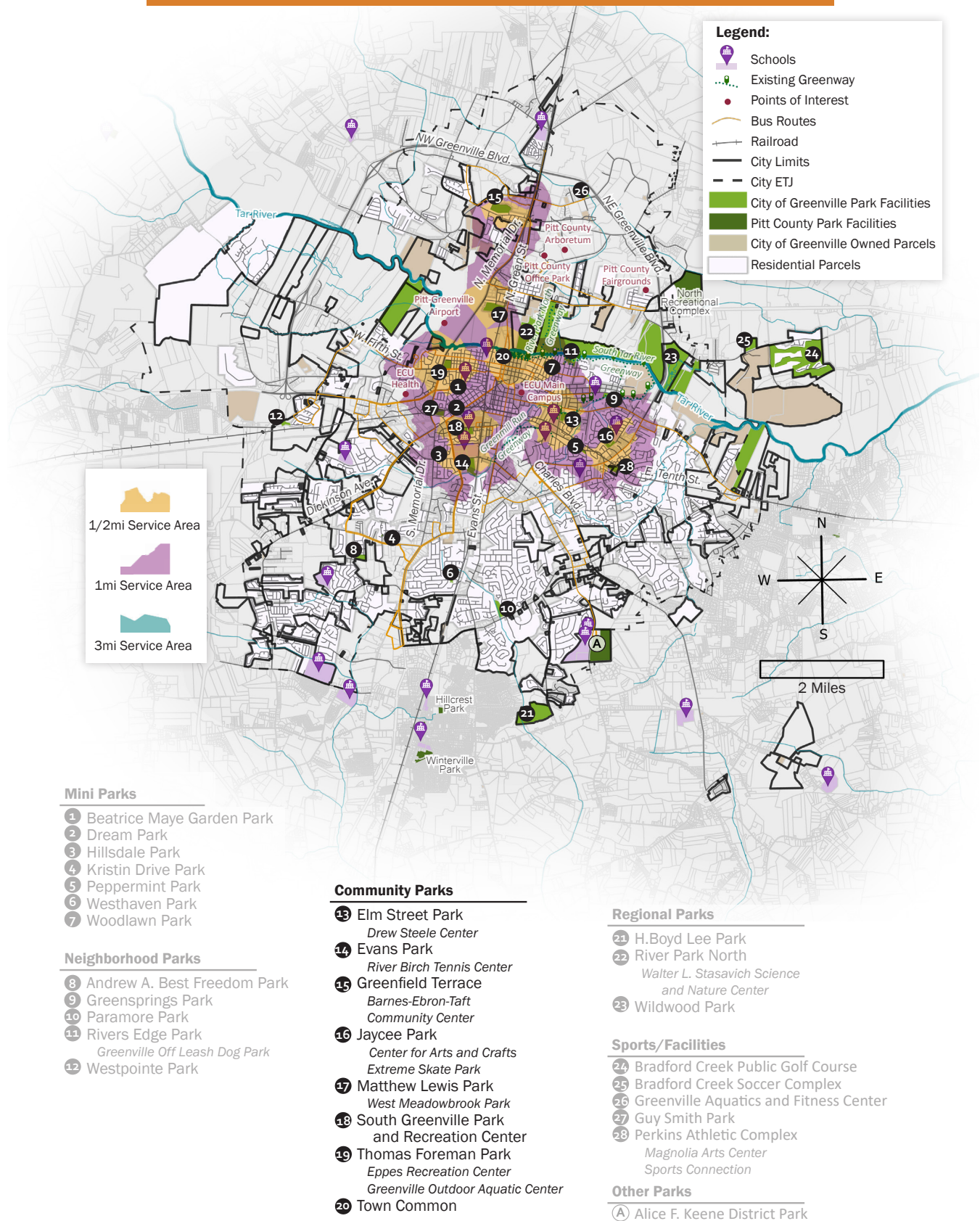
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Sports Connection

Other Parks

- A Alice F. Keene District Park

Map D8

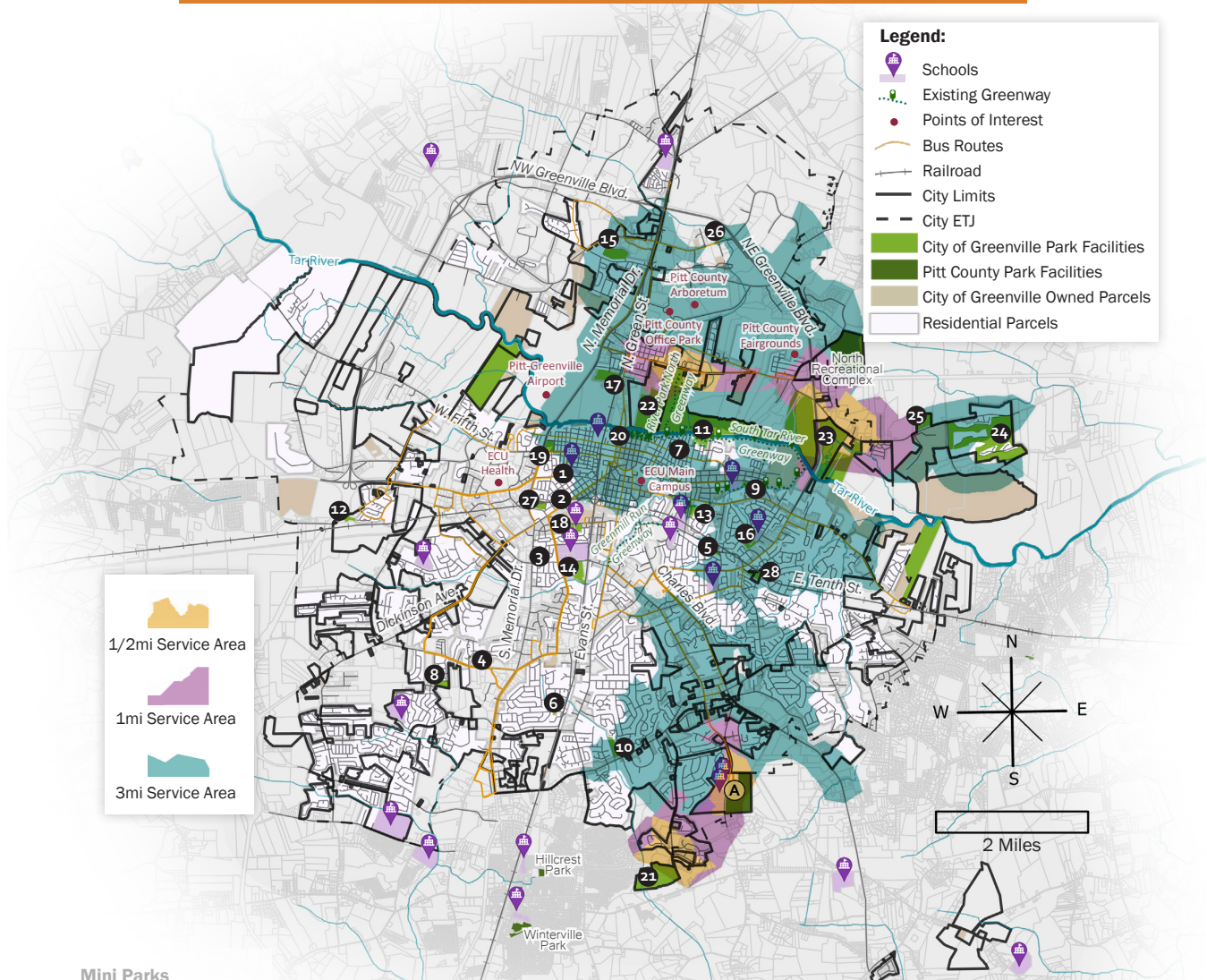
Community Parks | Level of Service, 0.5mi & 1mi





Map D9

Regional Parks | Level of Service, 0.5mi, 1mi, & 3mi



Mini Parks

- 1 Beatrice Maye Garden Park
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- 7 Woodlawn Park

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Regional Parks

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Sports/Facilities

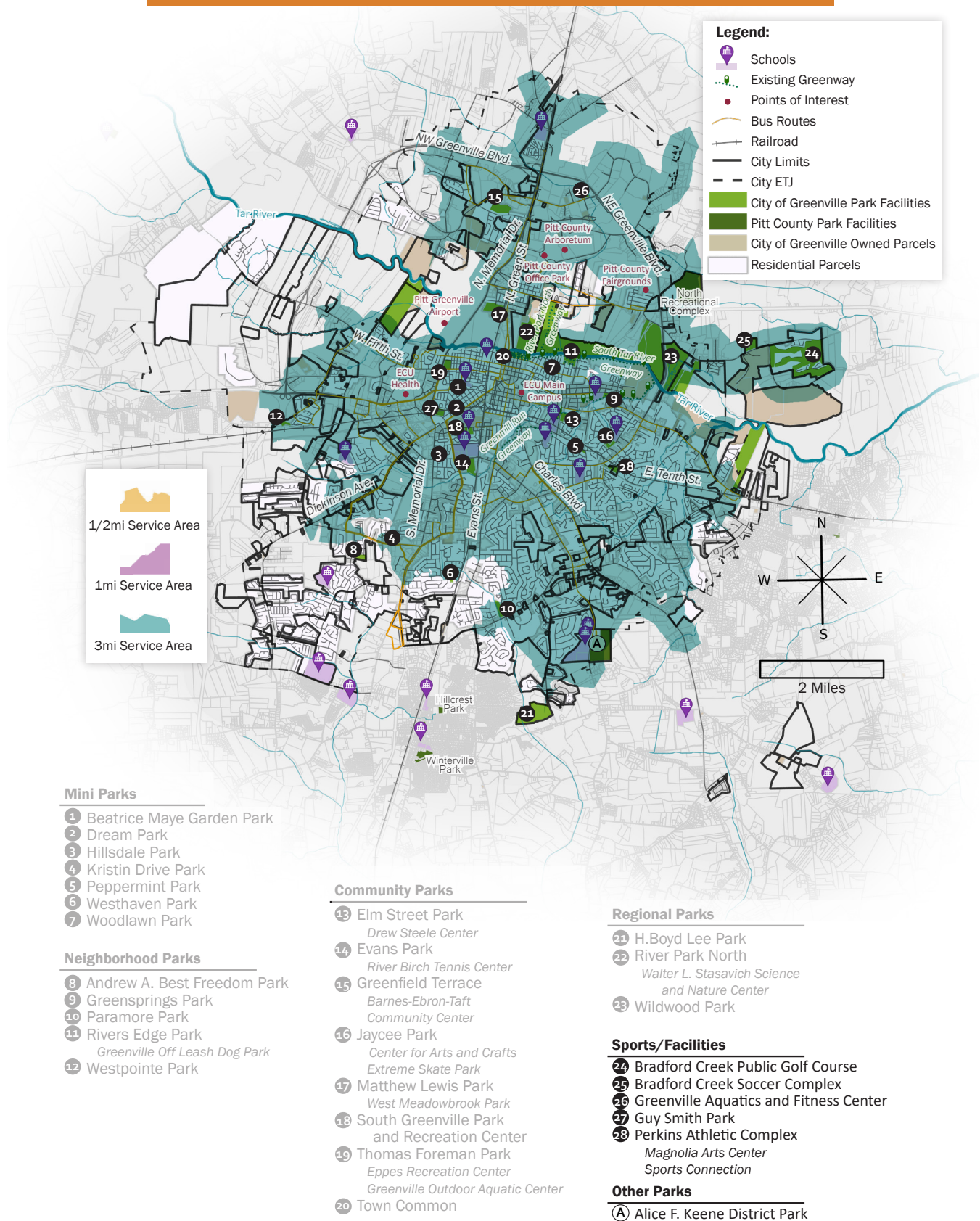
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*Magnolia Arts Center
Sports Connection*

Other Parks

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Map D10

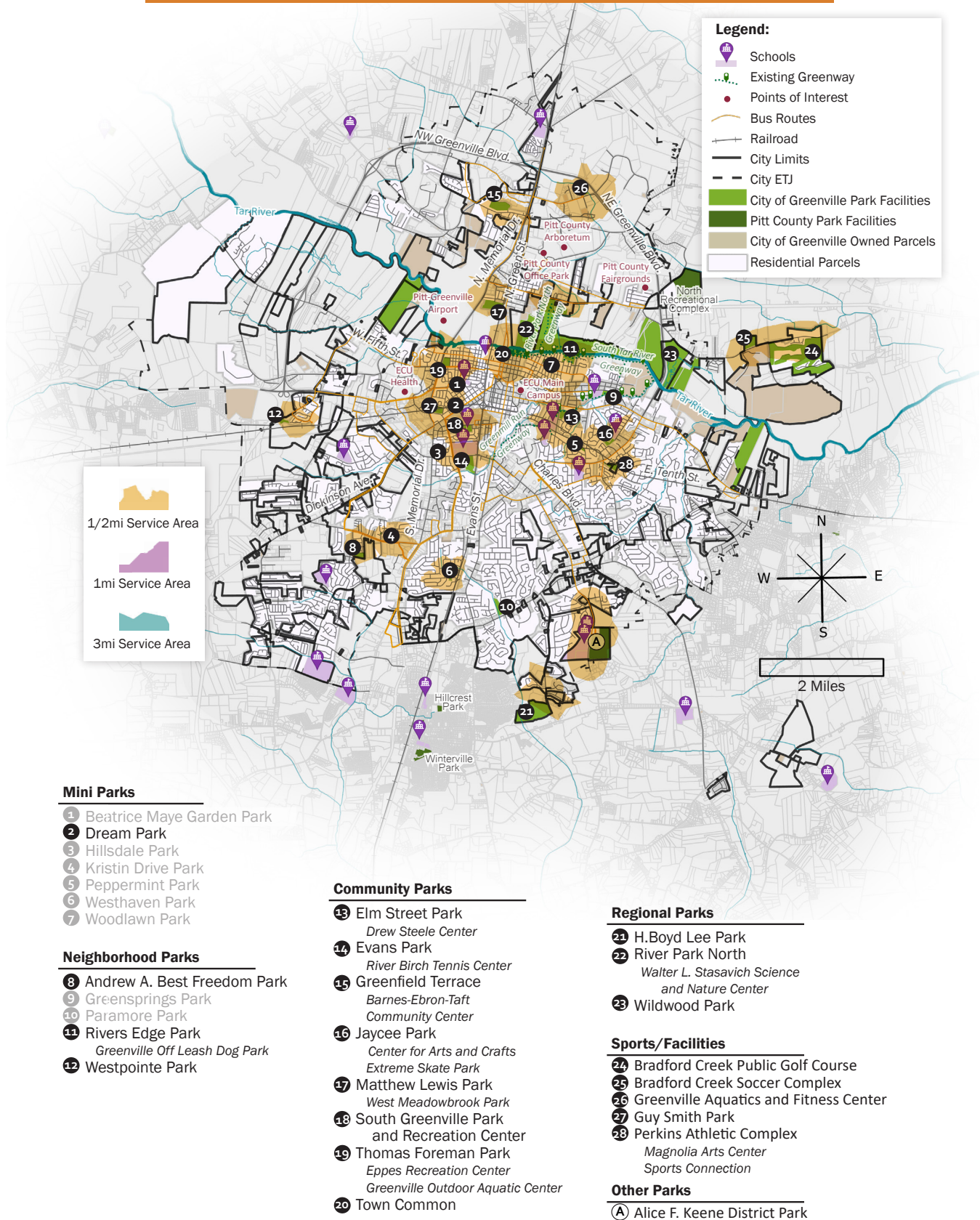
Sports/Facilities | Level of Service, 3mi





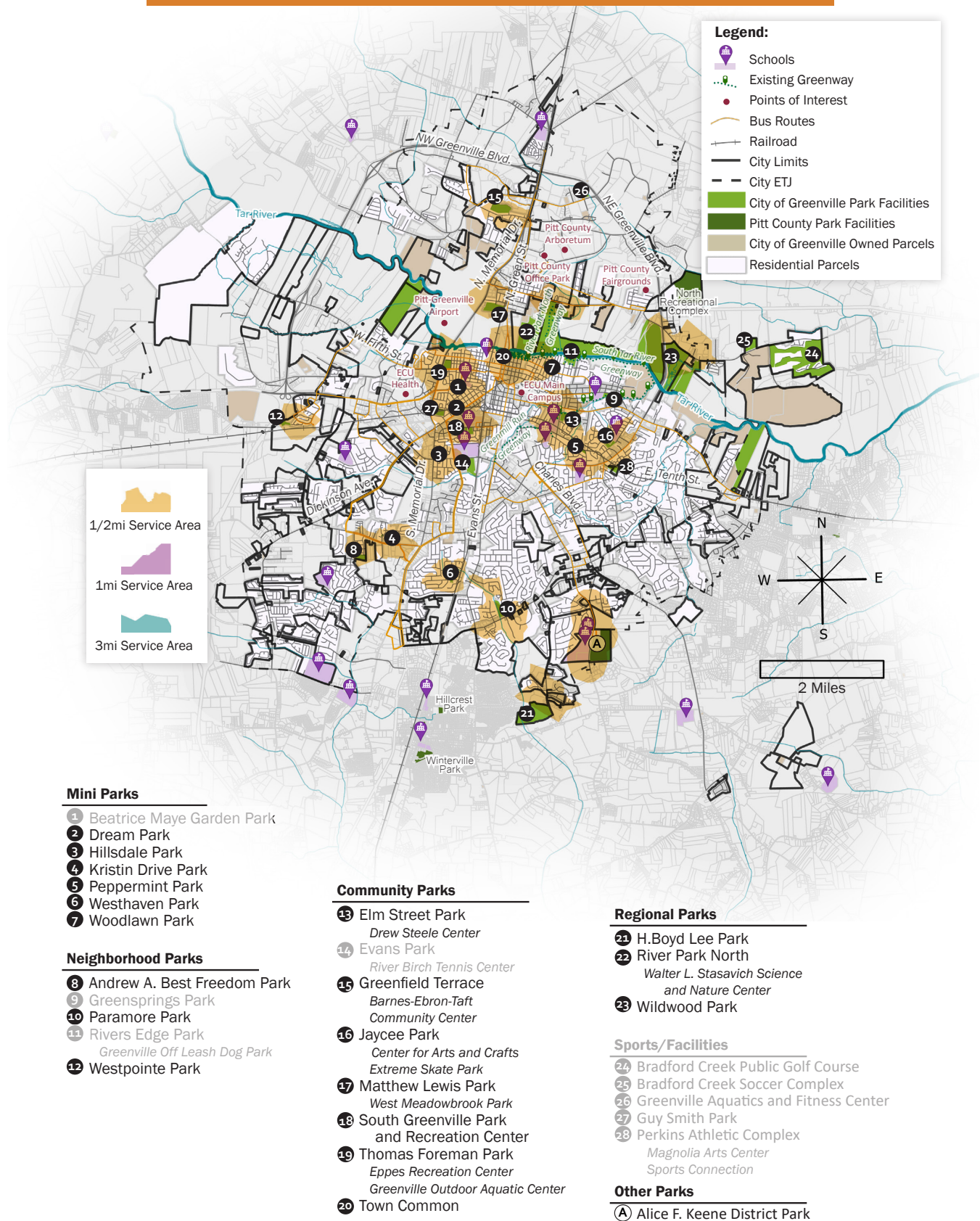
Map D11

Restrooms | Level of Service, 0.5mi



Map D12

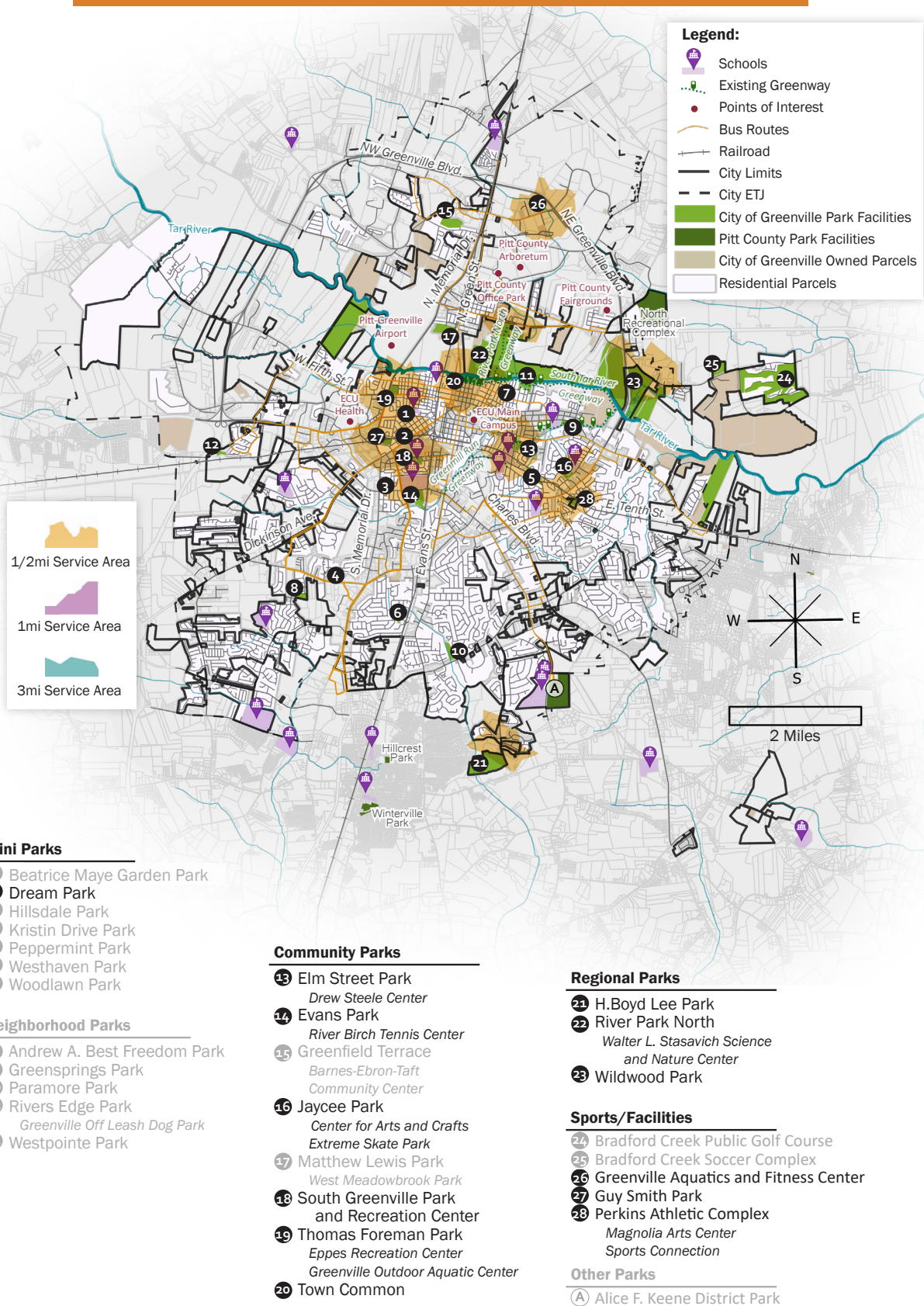
Playgrounds | Level of Service, 0.5mi





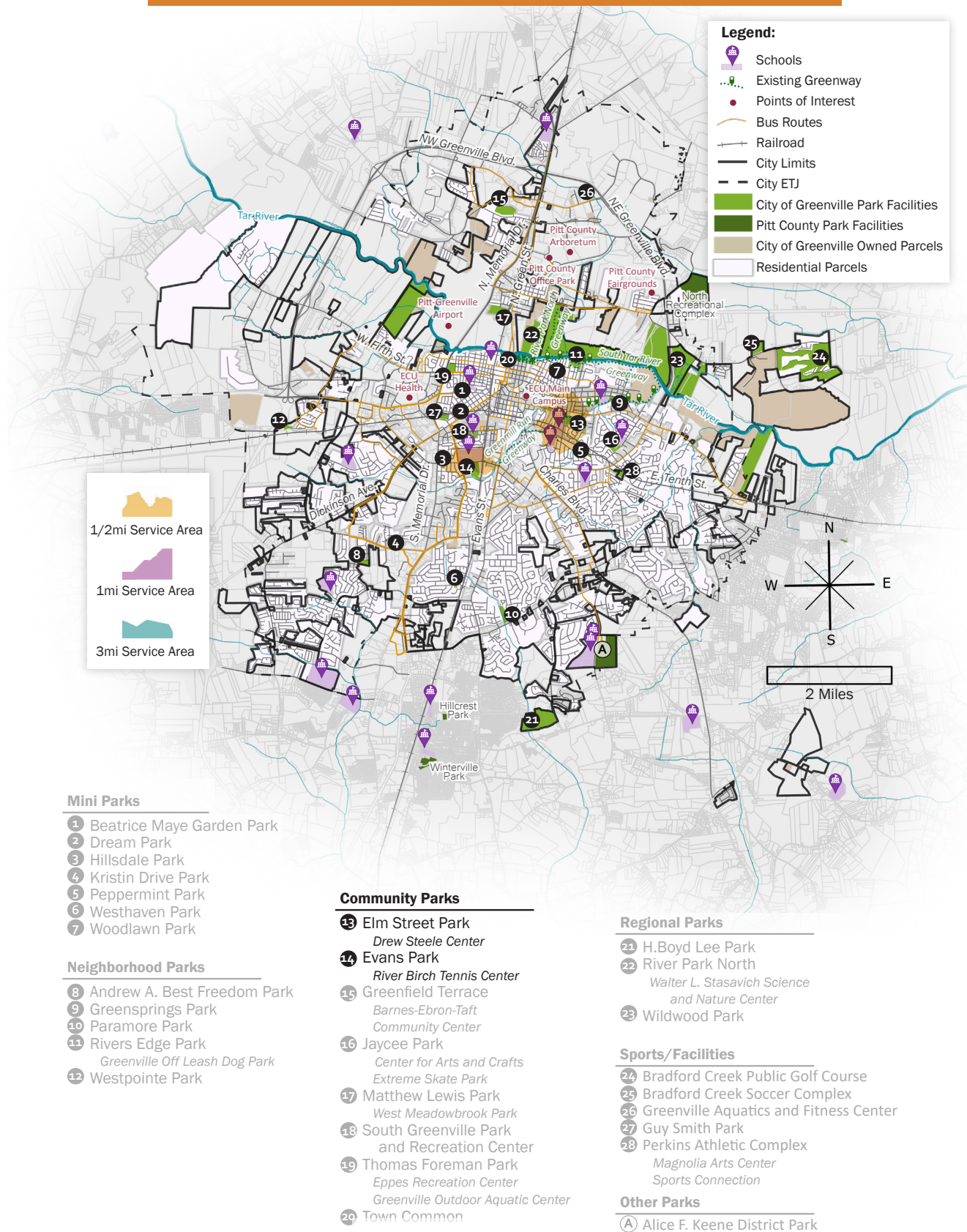
Map D13

Wi-Fi | Level of Service, 0.5mi



Map D14

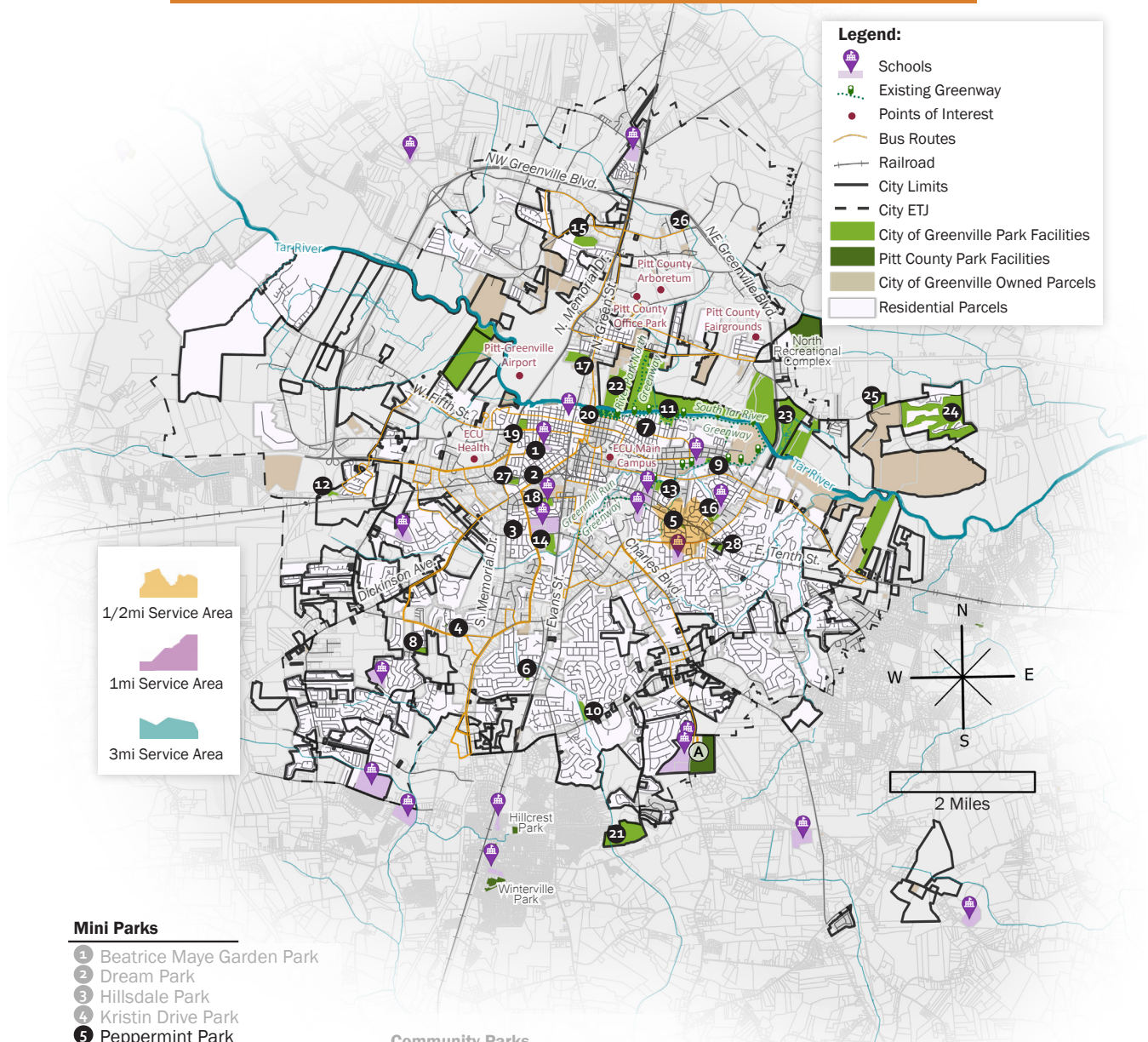
Tennis Courts | Level of Service, 0.5mi





Map D15

Pickleball Courts | Level of Service, 0.5mi



Mini Parks

- 1 Beatrice Maye Garden Park
- 2 Dream Park
- 3 Hillsdale Park
- 4 Kristin Drive Park
- 5 Peppermint Park
- 6 Westhaven Park
- 7 Woodlawn Park

Neighborhood Parks

- 8 Andrew A. Best Freedom Park
- 9 Greensprings Park
- 10 Paramore Park
- 11 Rivers Edge Park
- Greenville Off Leash Dog Park
- 12 Westpointe Park

Community Parks

- 13 Elm Street Park
Drew Steele Center
- 14 Evans Park
River Birch Tennis Center
- 15 Greenfield Terrace
Barnes-Ebron-Taft Community Center
- 16 Jaycee Park
Center for Arts and Crafts
Extreme Skate Park
- 17 Matthew Lewis Park
West Meadowbrook Park
- 18 South Greenville Park
and Recreation Center
- 19 Thomas Foreman Park
Eppes Recreation Center
Greenville Outdoor Aquatic Center
- 20 Town Common

Regional Parks

- 21 H.Boyd Lee Park
- 22 River Park North
Walter L. Stasavich Science
and Nature Center
- 23 Wildwood Park

Sports/Facilities

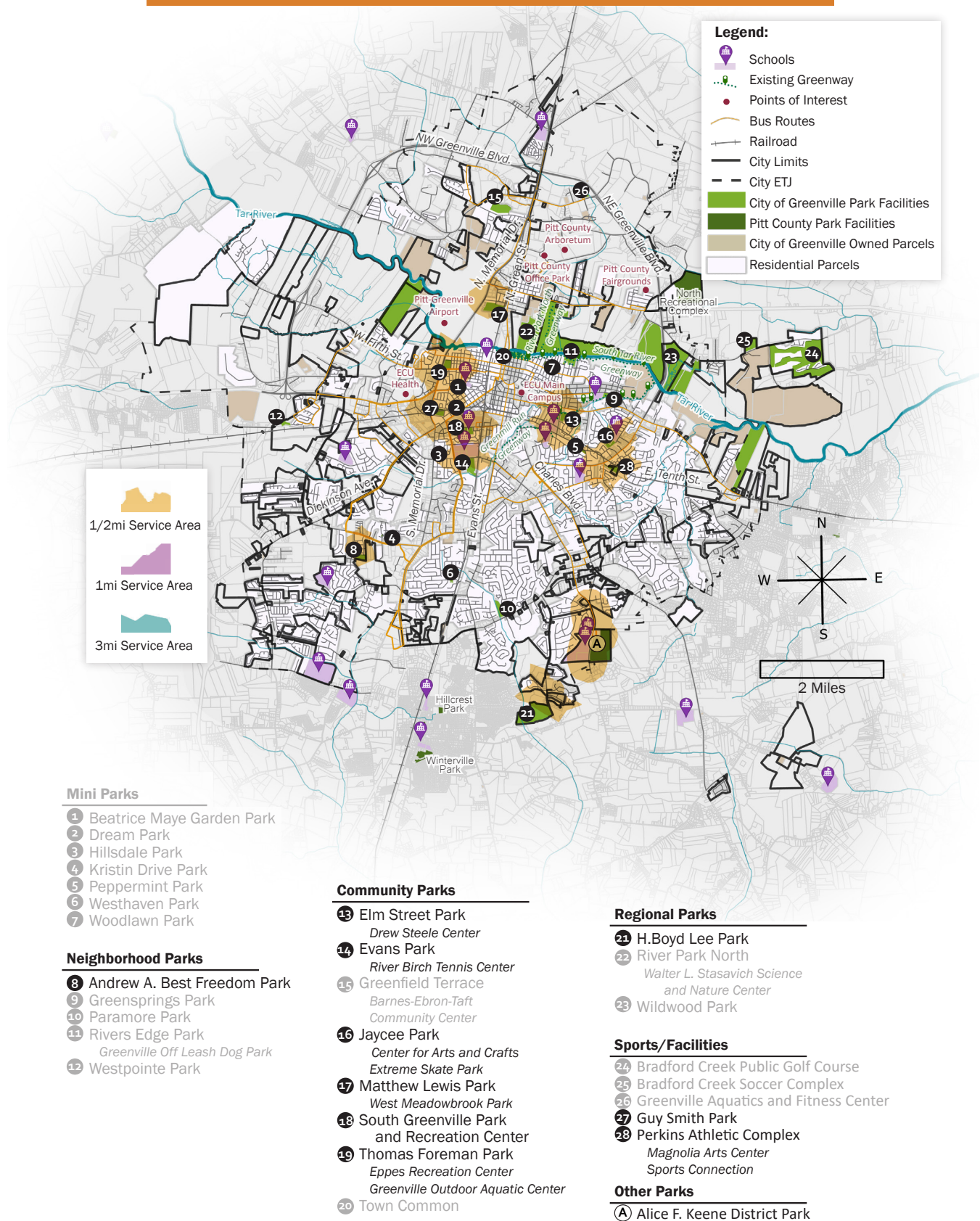
- 24 Bradford Creek Public Golf Course
- 25 Bradford Creek Soccer Complex
- 26 Greenville Aquatics and Fitness Center
- 27 Guy Smith Park
- 28 Perkins Athletic Complex
Magnolia Arts Center
Sports Connection

Other Parks

- A Alice F. Keene District Park

Map D16

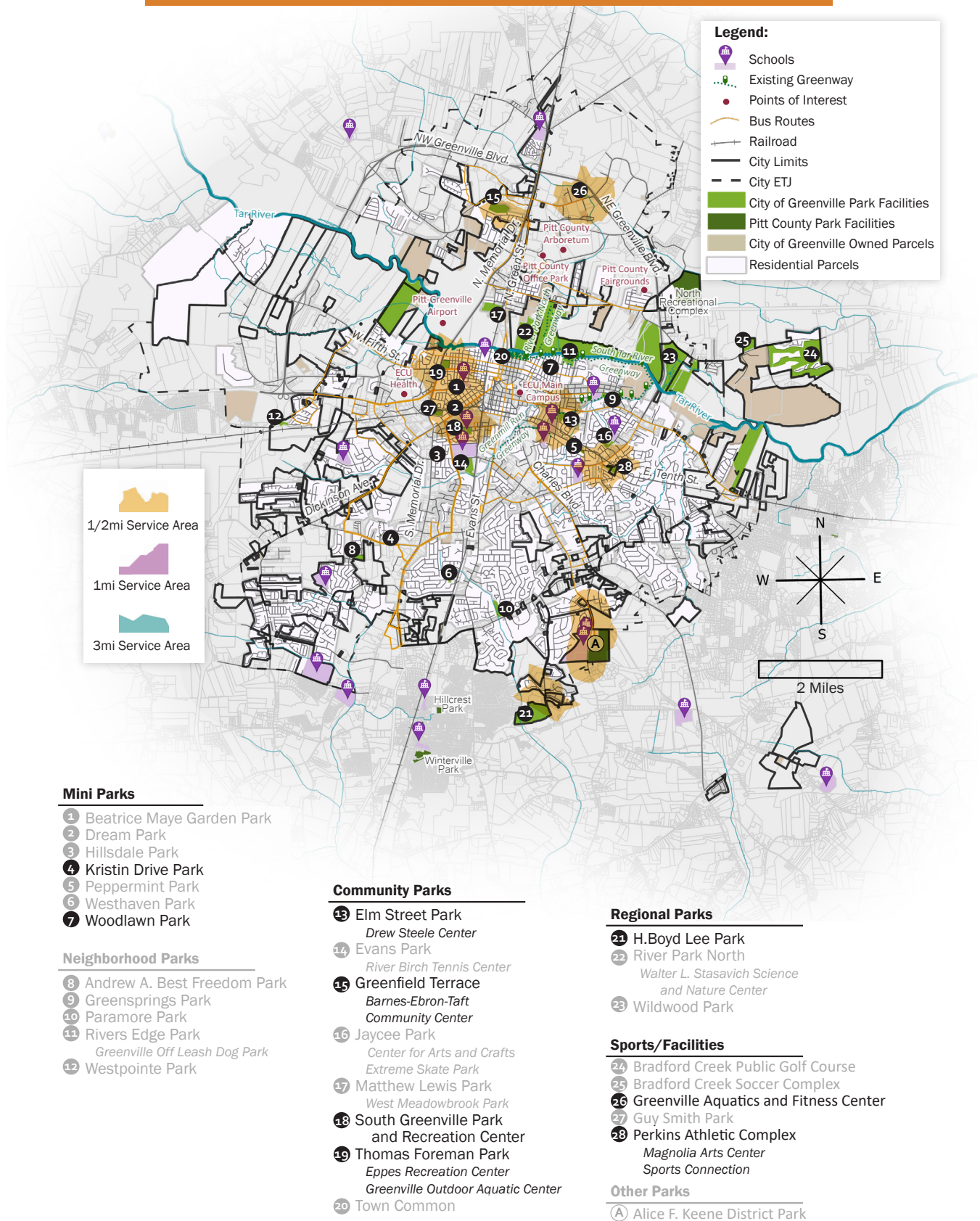
Baseball & Softball Fields | Level of Service, 0.5mi





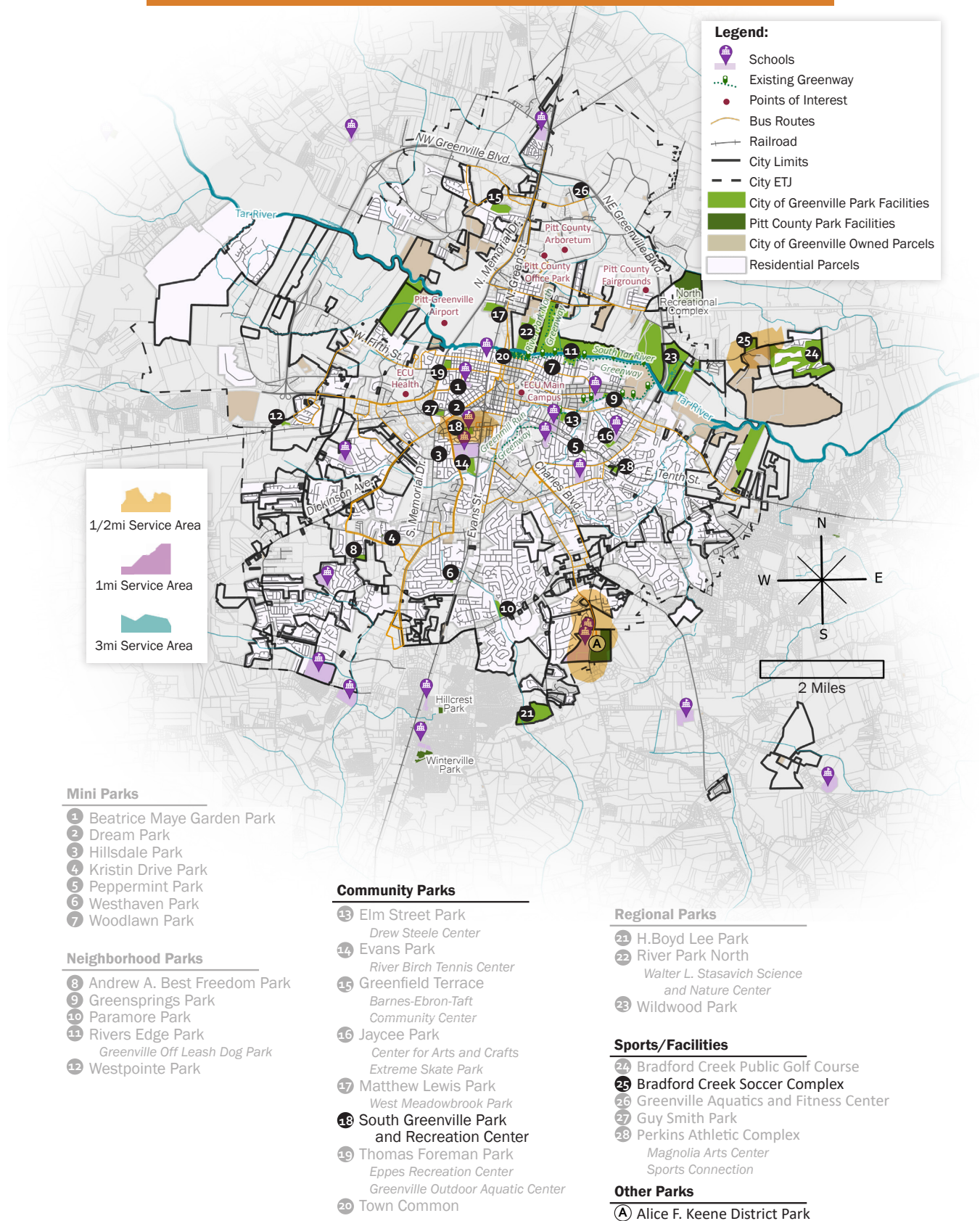
Map D17

Indoor & Outdoor Basketball | Level of Service, 0.5mi



Map D18

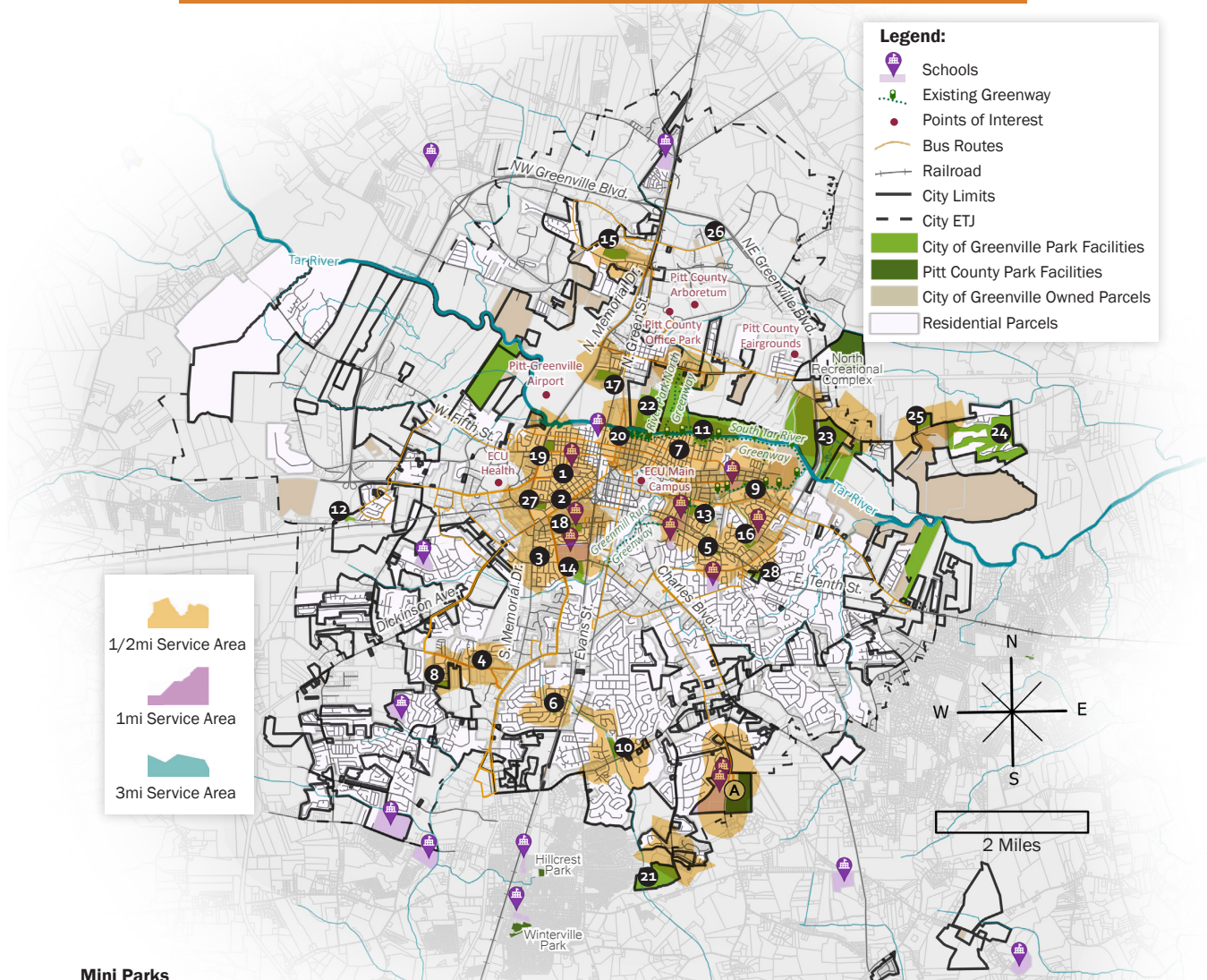
Soccer & Multipurpose Fields | Level of Service, 0.5mi





Map D19

Picnic Shelters | Level of Service, 0.5mi



Mini Parks

- 1 Beatrice Maye Garden Park
- 2 Dream Park
- 3 Hillsdale Park
- 4 Kristin Drive Park
- 5 Peppermint Park
- 6 Westhaven Park
- 7 Woodlawn Park

Neighborhood Parks

- 8 Andrew A. Best Freedom Park
- 9 Greensprings Park
- 10 Paramore Park
- 11 Rivers Edge Park
- Greenville Off Leash Dog Park
- 12 Westpointe Park

Community Parks

- 13 Elm Street Park
Drew Steele Center
- 14 Evans Park
River Birch Tennis Center
- 15 Greenfield Terrace
Barnes-Ebron-Taft Community Center
- 16 Jaycee Park
Center for Arts and Crafts
Extreme Skate Park
- 17 Matthew Lewis Park
West Meadowbrook Park
- 18 South Greenville Park
and Recreation Center
- 19 Thomas Foreman Park
Eppes Recreation Center
Greenville Outdoor Aquatic Center
- 20 Town Common

Regional Parks

- 21 H.Boyd Lee Park
- 22 River Park North
Walter L. Stasavich Science
and Nature Center
- 23 Wildwood Park

Sports/Facilities

- 24 Bradford Creek Public Golf Course
- 25 Bradford Creek Soccer Complex
- 26 Greenville Aquatics and Fitness Center
- 27 Guy Smith Park
- 28 Perkins Athletic Complex
Magnolia Arts Center
Sports Connection

Other Parks

- A Alice F. Keene District Park



Town Common Playground



Program Assessment

Overview

Assessment of recreation programming and services is a vital step in developing a comprehensive master plan. Information included in this analysis overlaps with the Department's recent market assessment. The market assessment is an important source of information as it overlays demographics characteristics of the city with participation statistics. This assessment focuses on programs currently offered, demographic trends, expressed public needs and priorities, and Department resources.

The following areas are covered:

- Program Statistics and Core Services
- Rental Statistics
- Program Delivery Model
- Staff Input and Recommendations
- Future Considerations
 - o New Program
 - o Program Evaluation
 - o Program Lifecycle

Key Takeaways:

- Core program types include youth, adult and family, active adult and senior, drop-in recreation, memberships, and passive recreation.
- Participation rates have rebounded to pre-pandemic levels for many programs; while some have even decreased from post-pandemic boosts.
- Quality of instructors and facilities are the top two areas of satisfaction by customers with over 85% satisfied or very satisfied.
- Participants recognize a high value of currently offered programming with over 75% of survey respondents willing to pay additional fees to participate.
- Cost recovery philosophy has shifted over the last ten (10+) years, decreasing from 33.5% in 2012 to a low of 12.5% in 2020, and increasing to 18.6% in 2022 and projected to be 20.7% in 2023.
- Ability to recruit staff and timely marketing are the two most critical challenges identified by staff.
- Providing flexible indoor space for relocating programs during facility renovations, expansions, or replacements is critical for continued success of programs.

Figure E1: 2019 Program Enrollment and Cancellation figures

Facility	Total Enrollment	Cancellations
Bradford Soccer Complex	1,748	21
H. Boyd Lee Park	2,747	123
Community Pool	120	1
Drew Steele Center	1,024	35
Elm Street Park	256	0
Elm Street Center	393	14
Eppes Recreation Center	395	16
Evans Park	239	7
Aquatic & Fitness Center	1,323	162
Guy Smith Stadium	33	2
Greenfield Terrace Park & Barnes-Ebron-Taft Center	179	7
Jaycee Park & Administrative Offices	1,410	76
Perkins Baseball Complex	138	5
River Birch Tennis Center	483	23
River Park North Science and Nature Center	374	24
Sports Connection	105	9
South Greenville Recreation Center	590	52
Totals:	11,557	577

Notes: 2019 enrollment data

Program Statistics & Core Services

Statistics and participation (Figure E1) were compiled and reviewed to understand existing participation in recreation programs. It is important to note that the data reviewed was from 2019. Given the COVID-19 pandemic, it is important to base future recommendations on what the Department experienced pre-pandemic. In recent discussions with Department staff, program enrollment figures have already returned or in some cases are projected to exceed pre-pandemic registration figures.

The comparison of enrollment versus cancellations is very positive with less than 5% cancellations to all enrollments. This indicates programming staff are responding to the needs and desires of the community, and in doing so, are minimizing cancellation rates. This finding is also consistent with statistical

survey results which mirror national averages for 'lack of interesting programs' and 'program not offered' as barriers to participating in recreation activities.

The primary focus groups of programming for the Department are:

- Youth
- Adult & Family
- Active Adults & Seniors

Within those groups, programs fall into the following categories:

- Athletics
- Aquatics
- Arts & Crafts
- Card & Board Games
- Clubs
- Education
- Exercise
- Health Learning & Wellness
- Homeschool Programs
- Nature Programs
- Pickleball
- Senior Games
- Special Events
- Specialized Recreation
- Spring Break Camps
- Summer Camps
- Travel
- Volunteer Opportunities

The lists above, for both focus groups and program categories, are referred to as the Department's core services. In addition to those listed, review of program offerings and enrollment figures suggest the following are additional core services of the Department:

- Drop-In Recreation
- Membership
- Passive Recreation

While these 3 categories are common to the recreation industry, it is important to note that drop-in use of facilities, passive



use of parks and park land, and offering memberships to facilities are in fact programs.

Other important characteristics of programs offered by the Department include:

- **Location** – Based on conversation and research, all programs offered by the Department are offered in City-owned facilities. It is not uncommon for communities the size of Greenville to have the facilities and infrastructure to offer this depth and breadth of programming, all at City-owned facilities.
- **Fees** – Almost all programs that are listed in the Department’s program guide have fees associated with them. At the same time, the fees fluctuate by program and instructor/program intensity. It is also important to note that the associated fees appear to be market-based to facilitate high levels of participation.

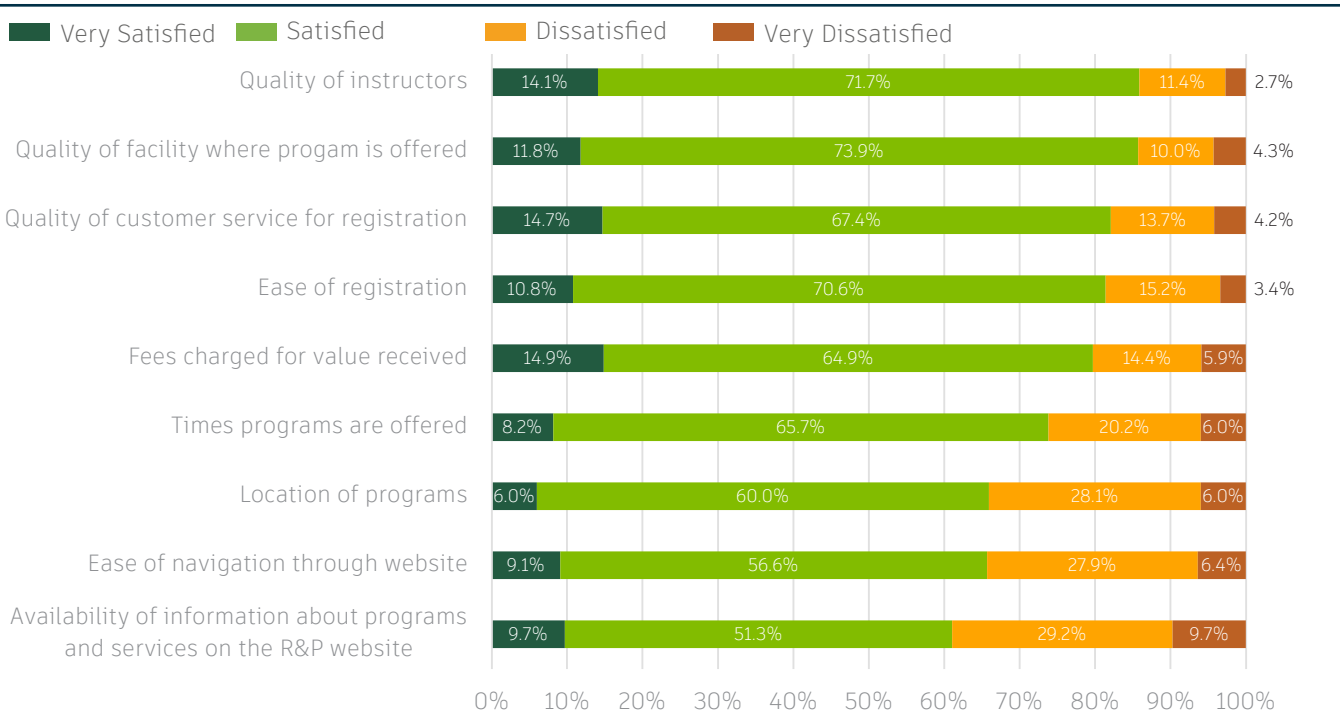
It is also important to note that for most programs where there are fees, there is a standard rate and Greenville residents receive a discount. In the case of programs that are taking place at the Greenville Aquatic & Fitness Center, members of that facility receive an additional discount from the resident rate.

The application of fees and standard versus resident and member rates are both within industry standards and should be continued.

- **Registration** – All programs that require a fee also require registration. That registration process can be completed online and at select facilities within the Department. Having the option of registering both online and in person is within industry standards and should be continued.

Figure E2 identifies satisfaction levels by respondents of the statistical survey.

Figure E2: Recreation Program Participant Satisfaction
Q11. Rate your satisfaction with the following program services provided by the City of Greenville Recreation and Parks Department.



Rentals

An additional service the Department provides is facility rentals, which could be considered a core service. Given the number of indoor and outdoor facilities the Department operates, being a rental provider in the community provides a vital service at an affordable cost to residents and visitors.

Rentals, as a category, is one that can generate significant revenue for many agencies. The biggest challenge in generating revenue from rentals is balancing rentals, programming, and drop-in use. Greenville appears to accommodate a significant number of rentals in both the shelter and facility categories as shown in Figure E3. It is important to note that the Department employs resident and non-

resident rate structures, in addition to profit and non-profit. This is an industry standard that should continue.

Program Delivery Model

The Department currently uses multiple models to deliver programs to the community. The two (2) primary models can be described as follows:

- **Staff Run:** These programs are offered by the Department and are run by staff, both full-time and part-time, and can take place on a seasonal or annual basis.

Benefits: The Department has maximum control over the program, its content, and the instructors. They can also maximize revenue generation.

Figure E3: 2019 Rental Types and Figures

Facility Type & Rental Figures						
Facility	Shelter	Facility	Field	Pool	Tennis	Courts
Andrew Best	32					
Boyd Lee	60	4	8			
Dream Park				9		
Drew Steele Center		63				
Elm	47				10	
Eppes	19	77				
Evans			9			
GAFC		40				
Guy Smith			3			
Greenfield Terrace	19	89				
Jaycee Park	42	79				
Matthew Lewis	13					
Paramore	38					
Peppermint	20					
Perkins			1			
River Birch						46
River Park North	40	46				
Sports Connection		78				
South Greenville	7	48				
Town Common	37					
Westhaven	5					
Totals:	379	524	21	9	10	46

Notes: 2019 rentals data



Challenges: The Department is responsible for managing and maintaining the staff.

Examples: swim lessons, summer camps, etc.

- **Rental:** These programs may or may not appear in the Department's seasonal program brochure and are run by an outside group that is renting facility space from the Department.

Benefits: The Department is only renting the space, there is minimal staff time required, and it is transactional in nature.

Challenges: The programs taking place during the rentals can be associated with the Department which can cause challenges if not done properly.

As the Department continues to evolve and work to solve existing staffing challenges, they may consider using a third-party model.

- **Third Party:** These programs may or may not appear in the Department's seasonal program brochure but are run by a third-party contractor. These instructors are paid on a contract basis, and there is typically a revenue split between the contractor and the Department.

Benefits: Using contract instructors/programmers allows the Department to pivot as trends shift. It also means that the Department does not have to hire additional part-time staff.

Challenges: The biggest challenge in managing third party contracts is how the program will be a reflection on the Department.

Examples: Healthy cooking for kids, children's garden.

It is important to note that the program delivery model does not impact whether a program is a core service.

Staff Input

As part of evaluating the programming that the Department offers, program staff were engaged in a series of interviews. Meetings with staff focused on the level of current programming, areas they would like to expand/contract, and challenges with offering programs to the community. The following are themes from those meetings.

Discussion Themes:

1. Pandemic Impacts:

- Memberships are back to pre-pandemic levels.
- Youth sports have recovered to pre-pandemic levels. In some cases that means that participation has decreased, as outdoor activities saw a surge during the pandemic.
- Outdoor recreation has returned to pre-pandemic levels.

2. Adult Sports: Challenged by decreasing rates of participation that can be attributed to a number of factors such as the pandemic, difficulties in hiring officials, time commitment, and affordability. While overall numbers are decreasing, drop-in participation for adult sport related activities is increasing.

3. Youth Sports Partners: The Department works with several groups in the community to help deliver youth sports, in particular the competitive level teams. Some of those partners include:

- PGSA – soccer
- Greenville Little League
- Youth Lacrosse
- Babe Ruth – baseball
- Jackie Robinson Baseball
- Youth Football
- Beach Volleyball

While these groups work alongside the Department there is some inconsistency

between which groups rent or pay for facilities and those that do not. Based on this feedback, a consistent facility rental policy for all user groups, sport, and non-sport would be best. This change in policy will need to be developed in alignment with the Department's cost recovery philosophy.

4. **Cost Recovery:** There are different targets for cost recovery based on the type of programs that are offered. Figure E4 identifies statistical survey respondents' willingness to pay additional user fees or charges for participating in their favorite events. Approximately 75% of respondents indicated a willingness to pay additional amounts, showing there is a recognition of value with current program and event offerings and support to potentially increase revenues in alignment with the Department's cost recovery philosophy and affordability

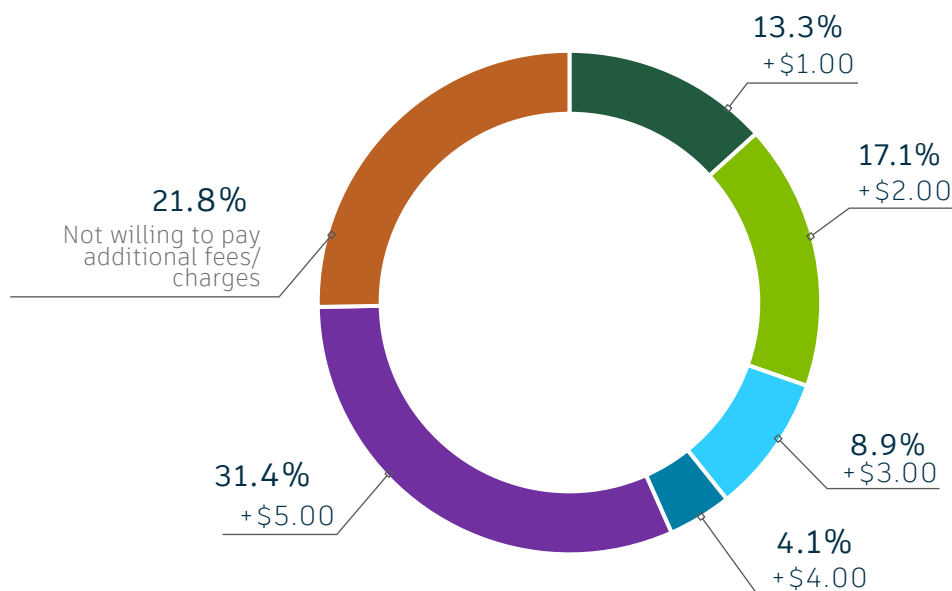
goals. The following encapsulates the approach by program type/category:

- **Memberships:** Memberships are available at the Greenville Aquatics and Fitness Center. The membership rates at the facility are focused on helping the facility achieve 100% of its operating expenses. This is a common practice for a facility of this type. It is also important to note that programs within the facility also help offset operating expenses.
- **Special Events:** These are 100% covered by sponsorships and/or admission fees. It is common for municipal departments to seek sponsorships for special events, or for those to be subsidized from the City's budget. It is also important to note that there are a variety of special events that the Department offers. Events such as a father/daughter

Figure E4: Willingness to pay additional user fee or charges; Statistical Survey results

Q16. Additional amount in user fee or charges per person you would be willing to pay for your favorite recreation and parks activity or program which you or members of your household participate.

Over 75% of participants responded with a willingness to pay an additional user fee for their favorite programs.





event may have minor sponsorships, with an associated fee. In contrast; a Memorial Day Parade or 4th of July Festival (common examples) would be supported by sponsorships and the City.

- **Arts Center:** The goal of the center is for all expenses associated with offering programs to be covered by program fees. Additionally, a portion of that revenue should cover operating expenses of the facility.
- **Programs (general):** There is some fluctuation regarding cost recovery of all the other programming that takes place outside of the specialized categories previously outlined. Staff agreed that a minimum goal is to recover direct costs associated with running programs. Staff also agreed that some programs should be subsidized. Staff further agreed that subsidizing select programs provides a service for individuals that may be unable to afford to participate.

While discussing cost recovery, most managers had a very clear understanding of the cost recovery goals for their various areas. Outside of management-level staff, there was less clarity about the cost recovery goals for programs and the Department overall. Programs are a significant generator of revenue for the Department. Because of this, all programming staff must understand cost recovery goals for their respective areas.

It is also important to note that within the framework of cost recovery, the Department has had some philosophical changes in the past 10-15 years, as shown in Figure E5. During the 2010–2012 timeframe, there was less focus on cost recovery and revenue generation. At that time the focus was on maximizing participation with minimal fees. Beginning in 2012-2013, the philosophy shifted with leadership, and there was more focus on cost recovery and revenue generation. Most recently the philosophy has shifted again with a more balanced approach of maximizing revenue where possible to help support other areas within the Department.

Figure E5: Historic Department Cost Recovery Percentages

Year	Expenses	Revenues	Cost Recovery
2012	\$6,504,517	\$2,181,639	33.5%
2013	\$7,254,788	\$2,032,002	28.0%
2014	\$7,429,094	\$1,981,598	26.7%
2015	\$7,400,170	\$2,007,186	27.1%
2016	\$7,457,419	\$1,864,662	25.0%
2017	\$7,503,495	\$1,851,389	24.7%
2018	\$7,573,949	\$1,999,487	26.4%
2019	\$6,884,779	\$1,262,688	18.3%
2020	\$7,184,198	\$888,220	12.4%
2021	\$6,497,083	\$1,001,475	15.4%
2022	\$7,206,678	\$1,347,050	18.7%
2023	\$7,936,842	\$1,631,850	20.6%
Avg.	\$7,236,084	\$1,670,771	23.1%

5. **Staffing:** The most critical issue expressed through staff interviews was staffing. The ability to recruit, hire, and retain staff, both full-time and part-time, is extremely challenging. That challenge has impacted the Department's ability to staff and open facilities and to maintain or expand programming. This is a common concern across the country in almost every job sector, with no easy solutions to the problem. The common solutions that are being employed are increasing wage scales, expanding benefit opportunities, and increasing job flexibility.

6. **Marketing:** The second most critical issue expressed through staff interviews was the ability to market programs to the community. Almost every staff member felt that the Department could do more to market facilities and programs to residents. The current methods that staff use are:

- **Website:** The Department's website is extensive with easy-to-navigate and easy-to-find information on programs and how to register for programs.
- **Social Media:** The Department has multiple social media outlets of their own that are used to push program information to the community. Staff also work with other City departments to help promote activities and bring attention to special events.
- **Brochure:** The Department continues to develop a program brochure. However, it is not mailed to all residents. The brochure is digitally available online through the website or via PDF download.
- **Flyers:** Department staff can work with other City departments to have flyers developed for programs that then can be distributed.

The staff's concerns about marketing focused primarily on the development of flyers. The current process is for Department staff to submit a request for a flyer to be developed and include all necessary information. This is a fairly common practice. The challenge for staff is that the lead time for the flyer to be developed commonly takes weeks, possibly months. This significantly hinders the staff's ability to be agile with their marketing. Given the depth and breadth of the Department, having an in-house graphic position to facilitate these types of requests could result in improved marketing efforts.

The development of a program brochure, while once standard practice, has evolved alongside technology. Some agencies do not produce brochures anymore, others develop brochures and make them only digitally available online, while other agencies develop brochures and make them available online and distribute them.

Provided the socioeconomics of Greenville, not all households have access to computers or the ability to register for programs online. Because of this, adopting a hybrid approach to program brochure distribution may better reach residents and increase participation.

Three (3) steps may be followed:

- Continue to create the brochure on the seasonal basis currently used.
- Copies of the brochure should be printed and available at all municipal facilities.
- Based on participation information, brochures should be mailed to areas of the community that are underrepresented in program participation.

7. **Facilities:** The Department has a wide variety of facilities and facility types. This enables the Department to host a wide variety of programs for the community. However, in many cases, the Department has been or is in the process of outgrowing these facilities. This challenge becomes sequential in that time is needed to expand programming, but if that time does not exist expansion becomes impossible. Programs are difficult to relocate or shut down while renovation, expansion, or replacement of facilities occur. Developing plans to accommodate these needs will help to ensure consistent operations and allow for programs to retain participants.



Public Engagement

Overview

Public engagement is essential in planning as it ensures that the community's needs and opinions are taken into account when making important decisions. Engaging the public in the planning process allows for a transparent and inclusive approach, which can increase public trust and support for development projects. Additionally, involving the public can help identify potential issues and concerns early on, enabling the City to address them before they become major problems. By fostering a collaborative relationship between the City and the community, public engagement can lead to better-designed communities

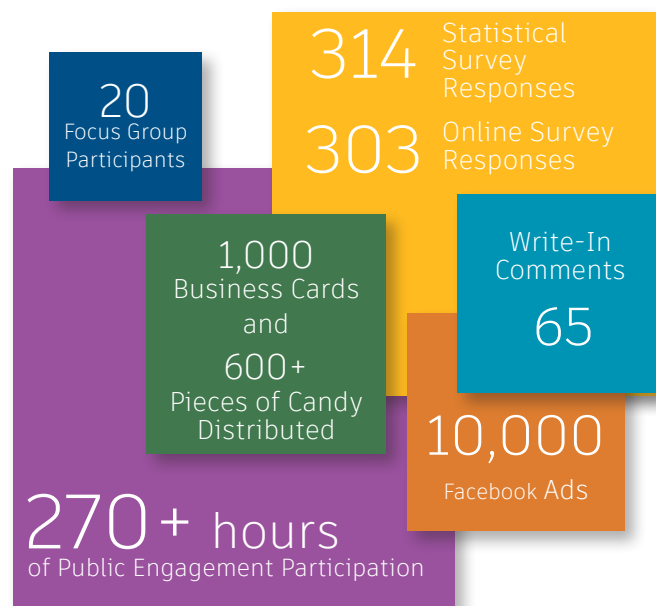


Figure F1: Public Engagement Participation

Key Takeaways:

- Planning efforts balanced qualitative (public input) and quantitative (data) engagement techniques.
- Statistical survey was random (each household had an equal opportunity) and stratified to match the city's demographics and confirmed online survey results.
- Highest needs and importance for recreation facilities focused on mostly passive uses: trails and sidewalks, nature preserves, smaller neighborhood parks, and gathering spaces.
- Highest needs and importance for activities include nature enjoyment, history/museums, fitness/wellness, senior adults, and performing arts.
- Development of trails (46%), maintenance of existing parks (45%), and acquisition of more parkland (34% neighborhood; 32% natural lands) were the top four supported actions, with a willingness to fund.
- Over 78% of respondents are willing to provide additional tax funding to improve parks and recreation offerings.
- Majority of respondents support additional or higher user fees/charges (75%) and support use of park foundation (64%) and sponsorships (58%) for alternative funding.

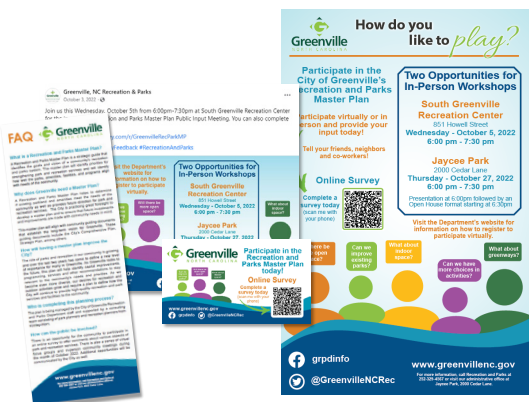


Figure F2: Public Engagement Advertisements

that meet the recreation and park needs of residents and promote social, economic, and environmental sustainability. Ultimately, public engagement is crucial for creating livable, vibrant, and equitable park spaces that benefit all members of the community.

Public engagement has undergone significant changes in recent years, driven by technological advancements and shifting social and political dynamics. The rise of social media platforms has enabled individuals to easily connect and share information, leading to increased levels of online activism and grassroots movements.

Additionally, the COVID-19 pandemic forced many public engagement efforts to move online, with virtual meetings and events becoming the norm. This has allowed for greater accessibility and inclusivity, as individuals who may not have been able to attend in-person events can now participate from anywhere with some methods, at any time. However, there are also concerns about the impact of these changes on the quality and effectiveness of public engagement efforts, as well as social equity in access to technology. This master plan sought to balance techniques used by having in-person events as well as virtual and digital offerings.

The following provides a brief overview of the public engagement events facilitated during the development of this master plan:

Community Workshops

Two in-person Community Workshops were held to gather input for this master plan. The first was hosted on October 5, 2022 at South Greenville Recreation Center. Discussion was focused on specific recreation facilities.

The second Community Workshop was held on October 27, 2022 at Jaycee Park. Exercise stations involved identifying recreation options participant households currently use and which they need as well as writing in thoughts on the best qualities of Greenville's Parks and Recreation programs.

Virtual Focus Groups

In early October 2022, a series of four (4) public online Focus Group sessions was held open to the public and one (1) Focus Group session was held in late November for City Staff. Sessions began with a presentation of the Master Plan project overview and timeline, park evaluation findings, and an overview of survey participation opportunities. Following the presentation, a series of questions prompted attendees to provide input on priority setting, vision for the recreation and parks system, the role the City plays in achieving that vision, opportunities for funding partnerships, and other park facilities and programs participants had experienced elsewhere that they would like to see in Greenville.

Staff & Stakeholder Interviews

Stakeholder interviews with individuals were conducted to receive specific feedback of day-to-day functionality and challenges. Individuals were identified by Department staff and interviews were completed during October and November of 2022.

These three types of public engagement form the basis of the qualitative techniques. Additionally, two quantitative techniques were used and consisted of a statistical survey of city residents and an online survey open to all willing participants.



Project Kickoff

August 18, 2022

The Planning Team met with Department staff in Greenville to review project goals and schedule.



Community Workshop #1

South Greenville Recreation Center
October 5, 2022

Stakeholder & Focus Groups Interviews

October 5-7, 2022

A series of stakeholder interviews and focus groups was held to answer introductory questions about how parks are used and their goals for the system.

Community Workshop #2

Jaycee Park
October 27, 2022



Sept. 22, 2022

Online Survey Launch

October 3, 2022

Statistical Survey Launch

November 4, 2022

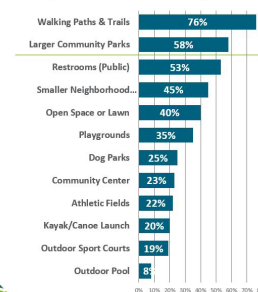
Statistical Survey Completed

November 6, 2022

Online Survey Completed

Most used Recreation and Park Amenities:

Percentage of respondents who have used amenity within last 12 months



Parks and Recreation amenities or facilities that should receive the most attention over the next 2-4 years:

Percentage of respondents who selected the item as one of their top three (3) choices

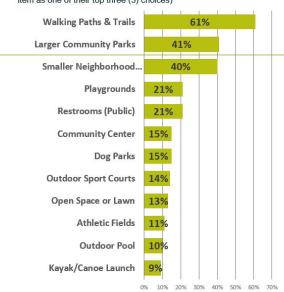


Figure F3: Public Engagement Timeline

Staff Focus Groups for Recreation Program Assessment

November 30, 2022

VISION GOALS AND OBJECTIVES

1. Continue to develop a safe trail system for the city to increase accessibility to existing parks
2. Diversify programming to accommodate changing demographics and interests
3. Identify locations for new neighborhood parks to provide equitable access to parks
4. Continue to update and expand existing facilities through the Facilities Improvement Plan & Capital Improvement Program
5. Identify funding and grants to support maintenance and improvements to all facilities.



Recreation and Parks Commission Presentation

January 11, 2023

Recreation & Parks Commission and Public Presentation

April 12, 2023

Final City Council Presentation

May 8, 2023

January 27, 2023

City Council Planning Session

January 11, 2023

Vision & Implementation Workshop





Statistical Survey

A statistical survey was mailed to over 2,000 randomly selected households across the city. Each household had an equal chance of being selected. Methods to complete the survey included by mail (return postage was included), by phone, or by website, with 314 completed surveys received. The survey was available in multiple languages and directions were provided with a toll-free phone number. Facebook ads were utilized with a geographic reference of the city's limits. Respondents that completed a survey online were asked to provide an address which was reviewed to ensure the respondent was a city resident. Responses were limited to one per address. Results were weighted to match the demographics of the city.

Question topics included which programs and facilities participants currently use, satisfaction with existing recreation and parks, barriers that prevent them from using parks and programs, support for improvement actions, and input on funding and tax actions. The following pages present key results from the statistical survey. Full statistical survey results can be found at **Appendix A**.

Online Survey

An online survey was available to complete by any willing participant from late September to early November 2022. A QR code was included on handout materials and business cards for participants to scan with a smartphone, and a link was posted via social media and emails by the City. In total, 303 survey responses were collected. Demographic questions were included to qualify results and ensure the ability to cross-tabulate responses from city residents compared to all responses. Approximately 70% of responses were from city residents.

Questions were similar to those included in the statistical survey with a few additional. The Department's website and social media accounts were used to distribute information for the survey. Staff handed out business cards at a community Trunk or Treat Halloween event at Greenfield Terrace Park. Results from the online survey were consistent and within the margin of error for most questions from the statistical survey and helped to confirm results. See online survey results at **Appendix B**.

Conclusion

The public engagement outcomes are valuable to informing recommendations of this master plan to work towards a long-term plan that serves specific community needs. Information provided through public engagement can be best used to inform more specific decisions regarding projects, funding, and priority setting.

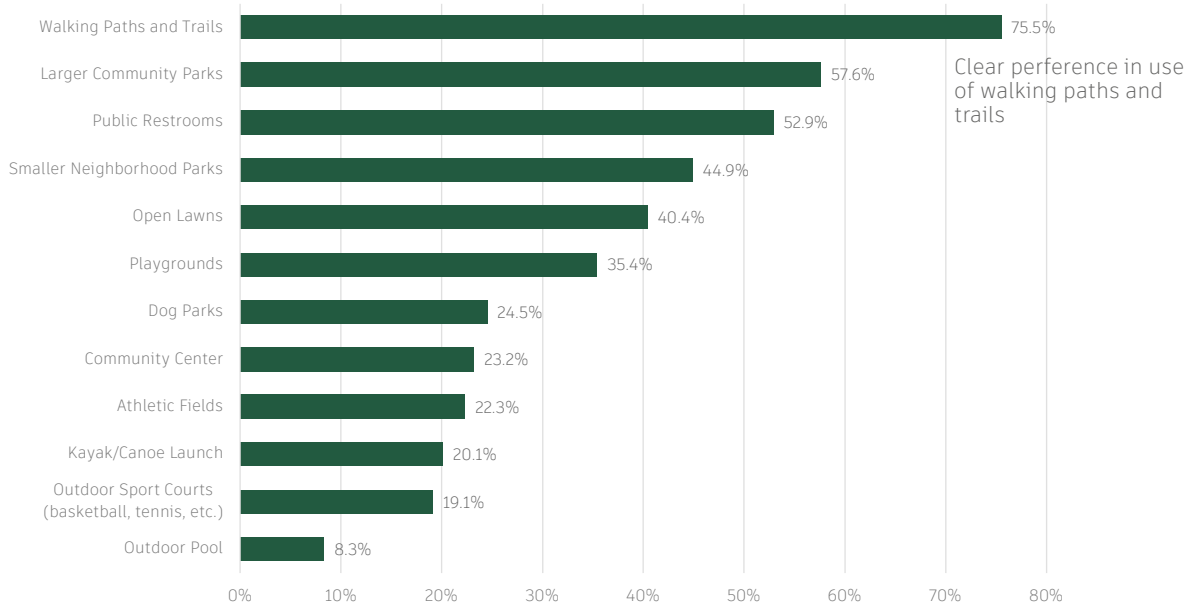


Trunk or Treat Event (2022) at Greenfield Terrace Park

Q1a. Indicate if you use the following major parks and recreation amenity types provided by the City of Greenville.

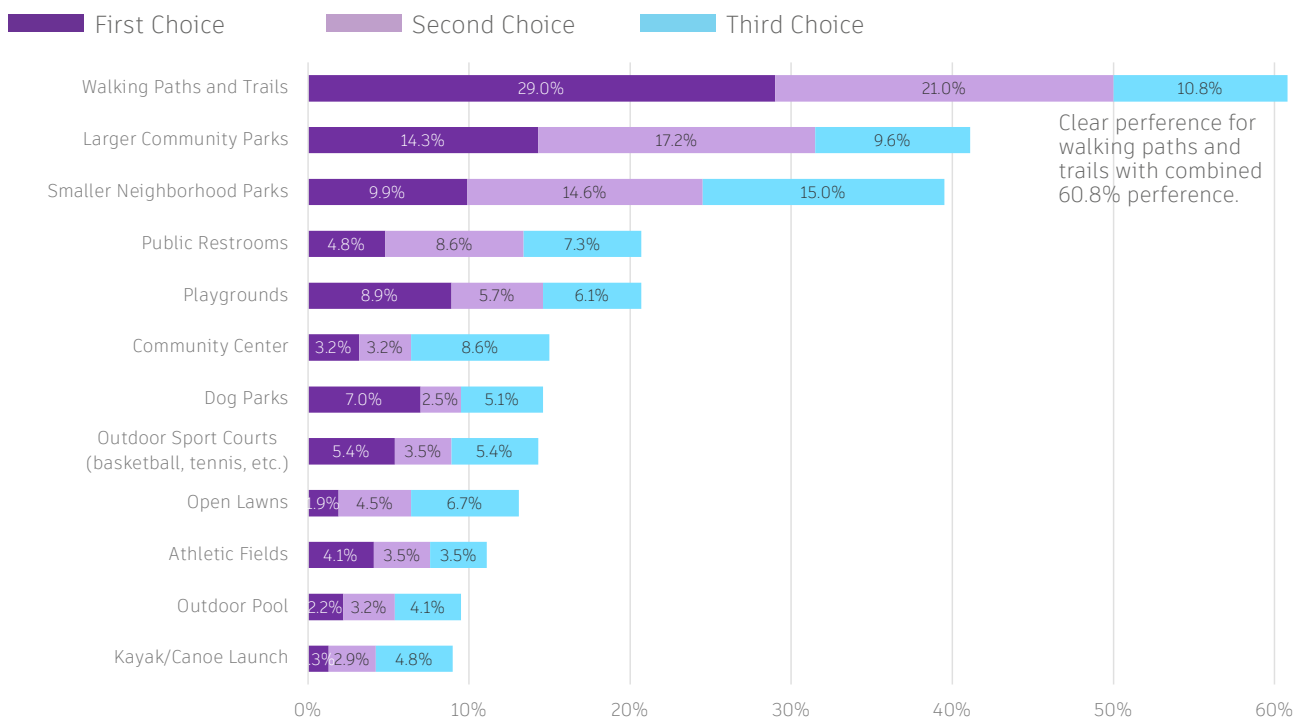
Walking paths, trails, community pools, public restrooms, and small neighborhood parks are the most used amenities.

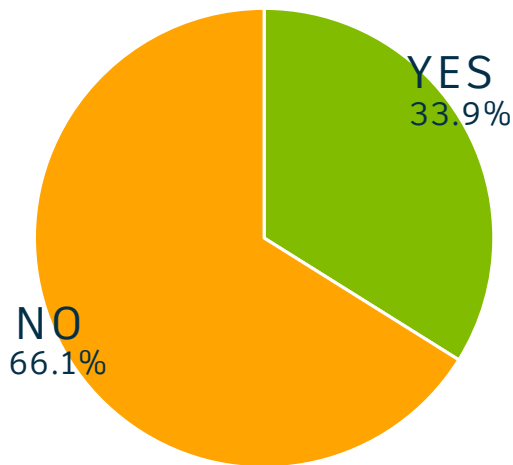
Yes



Q2. Which three (3) parks and recreation amenities/facilities do you think should receive the most attention from the City over the next two (2) to four (4) years?

Responses identify a priority to the most used amenities/facilities in the next two to four years.



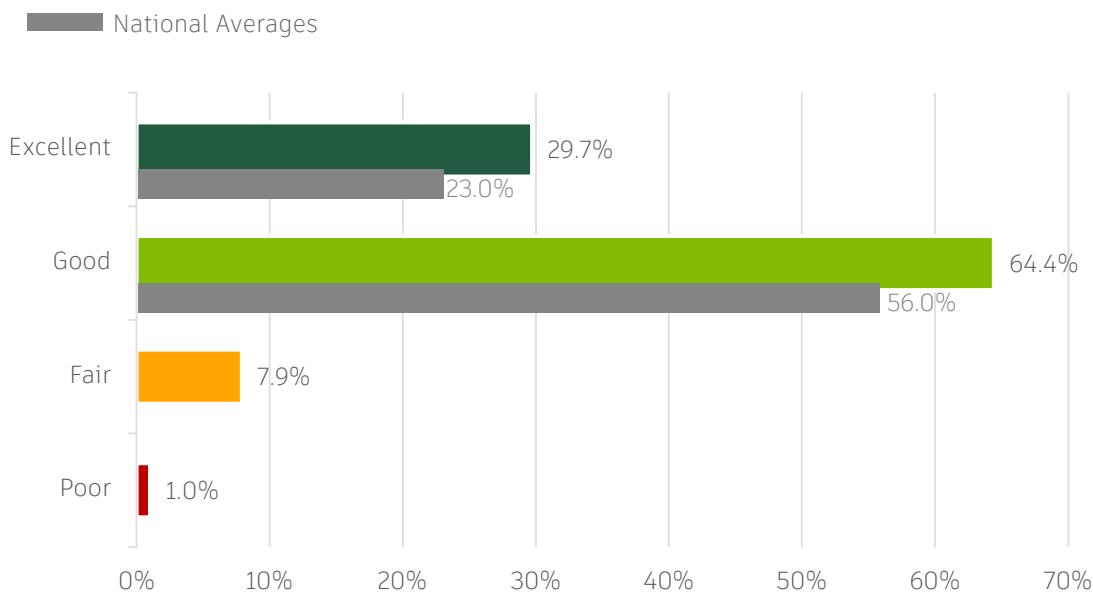


Q3. Do you feel there are sufficient parks and greenspace areas within walking distance of your residence?

Access LOS Analysis identifies that 25% of residents are within walking distance of a park or open space when defining 'walking distance' as a 1/2 mile or 10 minutes. For this question, 33.9% of residents responded that they feel they have sufficient greenspace within walking distance of their residence, indicating a willingness to travel longer distances to visit greenspace.

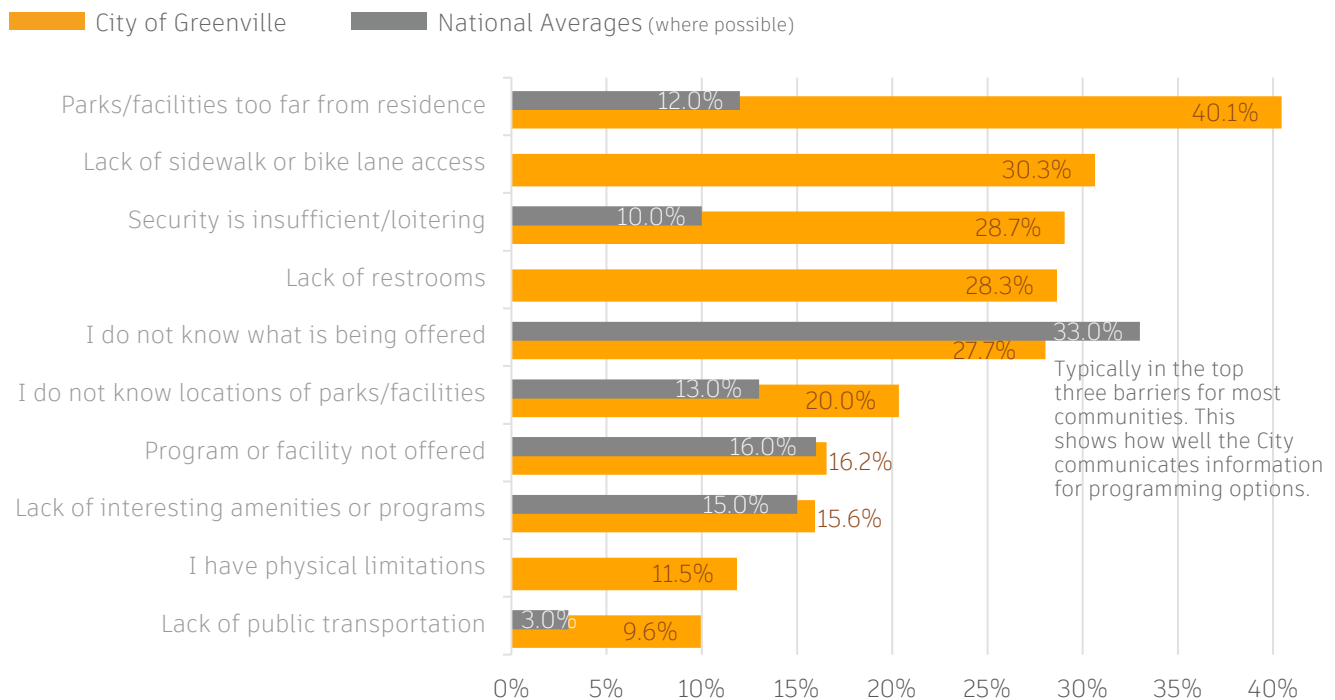
Q4b. Overall, how would you rate the quality of the programs offered by the City of Greenville that you and members of your household participated in?

Residents of Greenville find a higher level of satisfaction (94.1%) from programs being offered by the Department than national averages (79%).



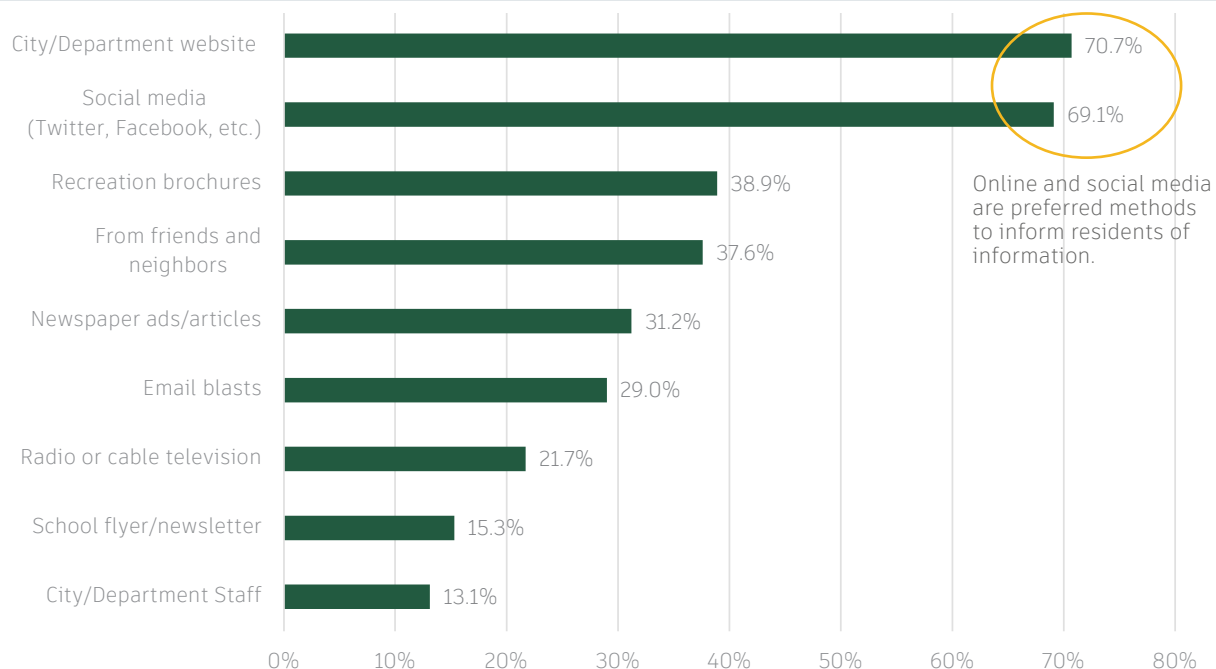
Q7. Reasons that prevent you or other members of your household from using parks, trails, recreation, and aquatic facilities or programs in Greenville more often. (Top 10 results)

Compared to national averages, City of Greenville residents are over three times as likely to not use recreation and parks facilities because of the distance from their residence.



Q17. Identify all the ways you prefer to learn about City of Greenville recreational programs and activities.

The City/Department website, social media, and brochures are the ways that residents prefer to learn about recreational programs and activities.

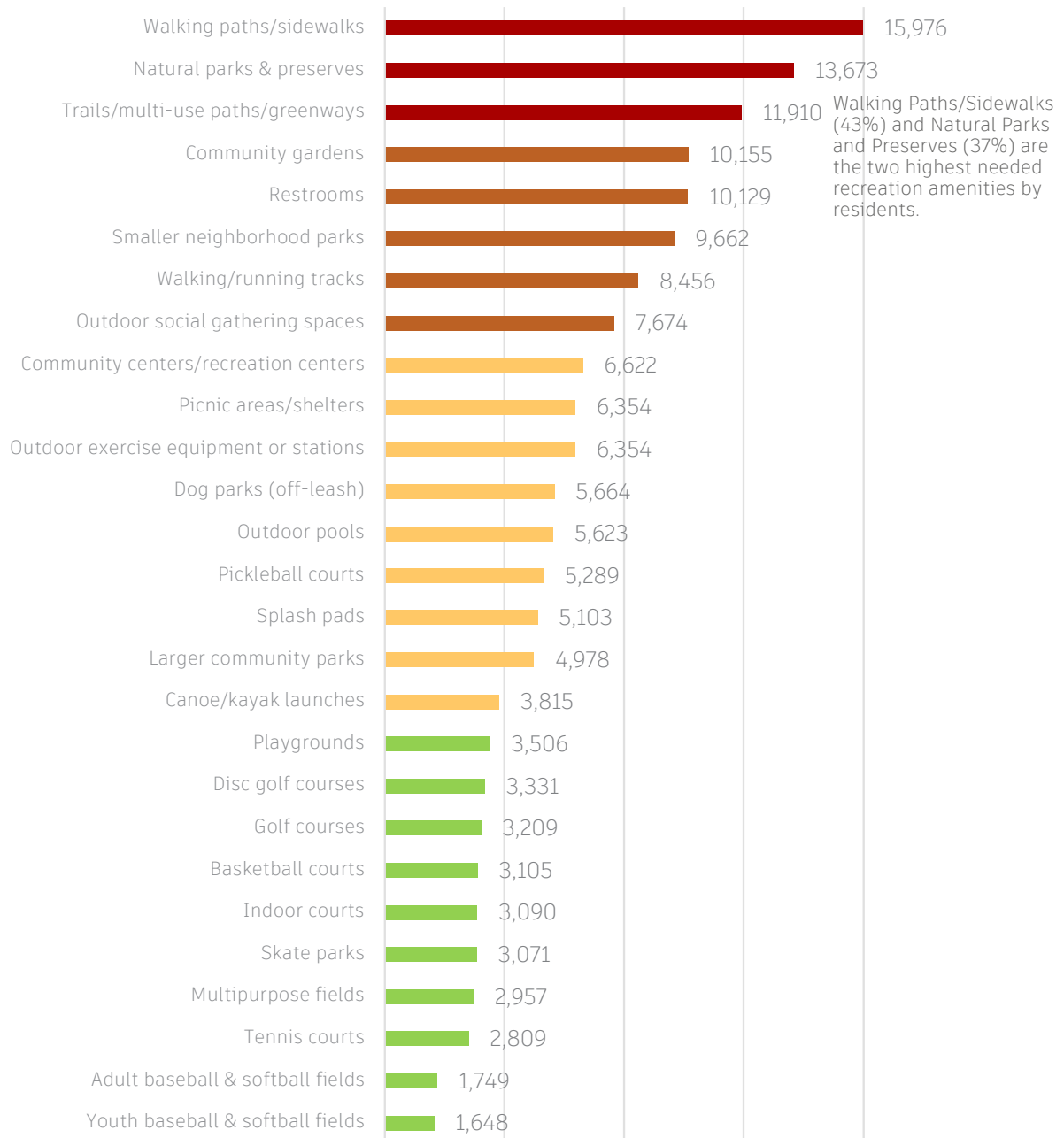




Q5c. Number of households that indicated they have a need for the following park/recreation facility that is currently only being met 50% or less.

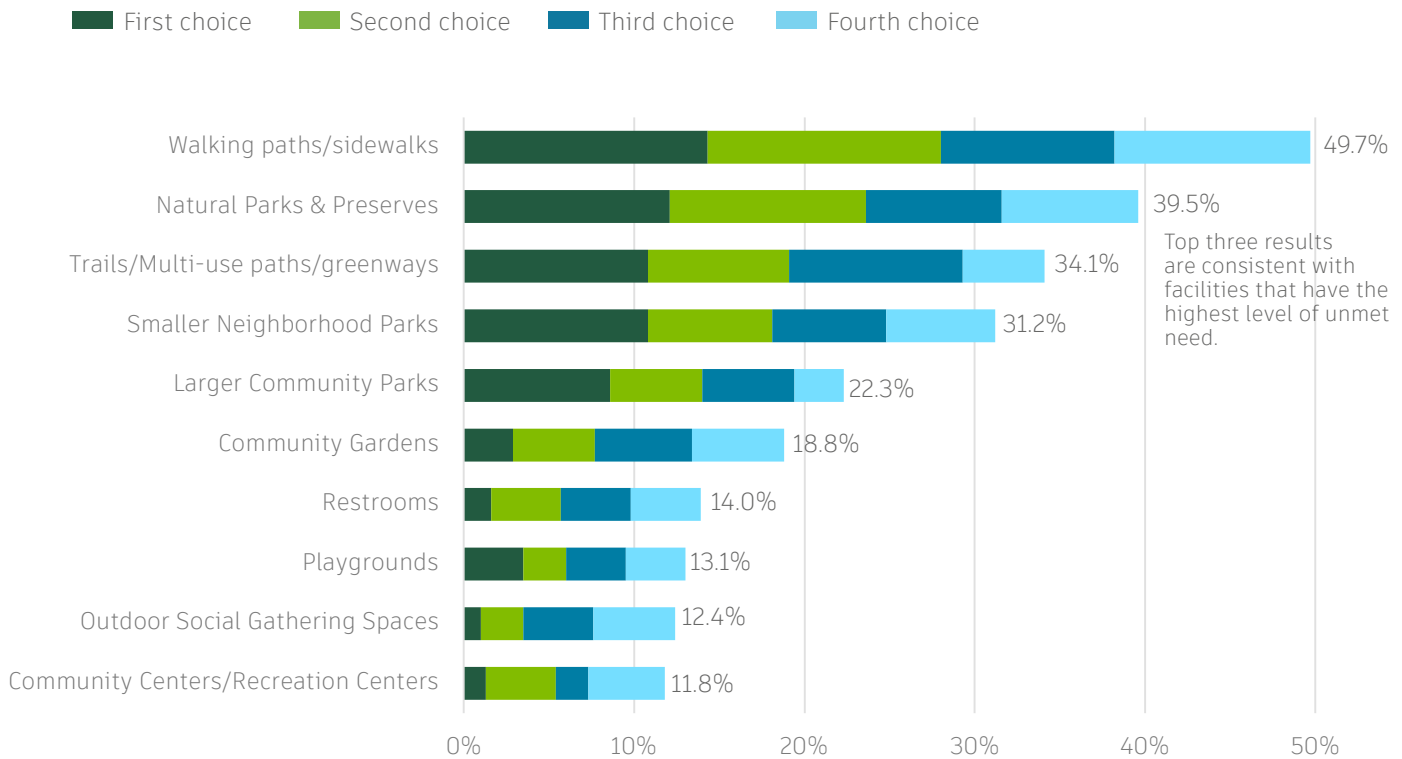
Walking paths/sidewalks, natural parks & preserves, and trails/multi-use paths/greenways had the highest indicated need. Adult and youth softball and baseball fields, tennis courts, and multipurpose fields had the lowest indicated need.

30%+ of households 20%+ of households 10%+ of households Less than 10 % of households



Q6. Which four (4) recreation **facilities** do you think are most important for you and members of your household? (Top 10 results)

The top four facilities identified as having a need are the same facilities identified as most important to Greenville households.

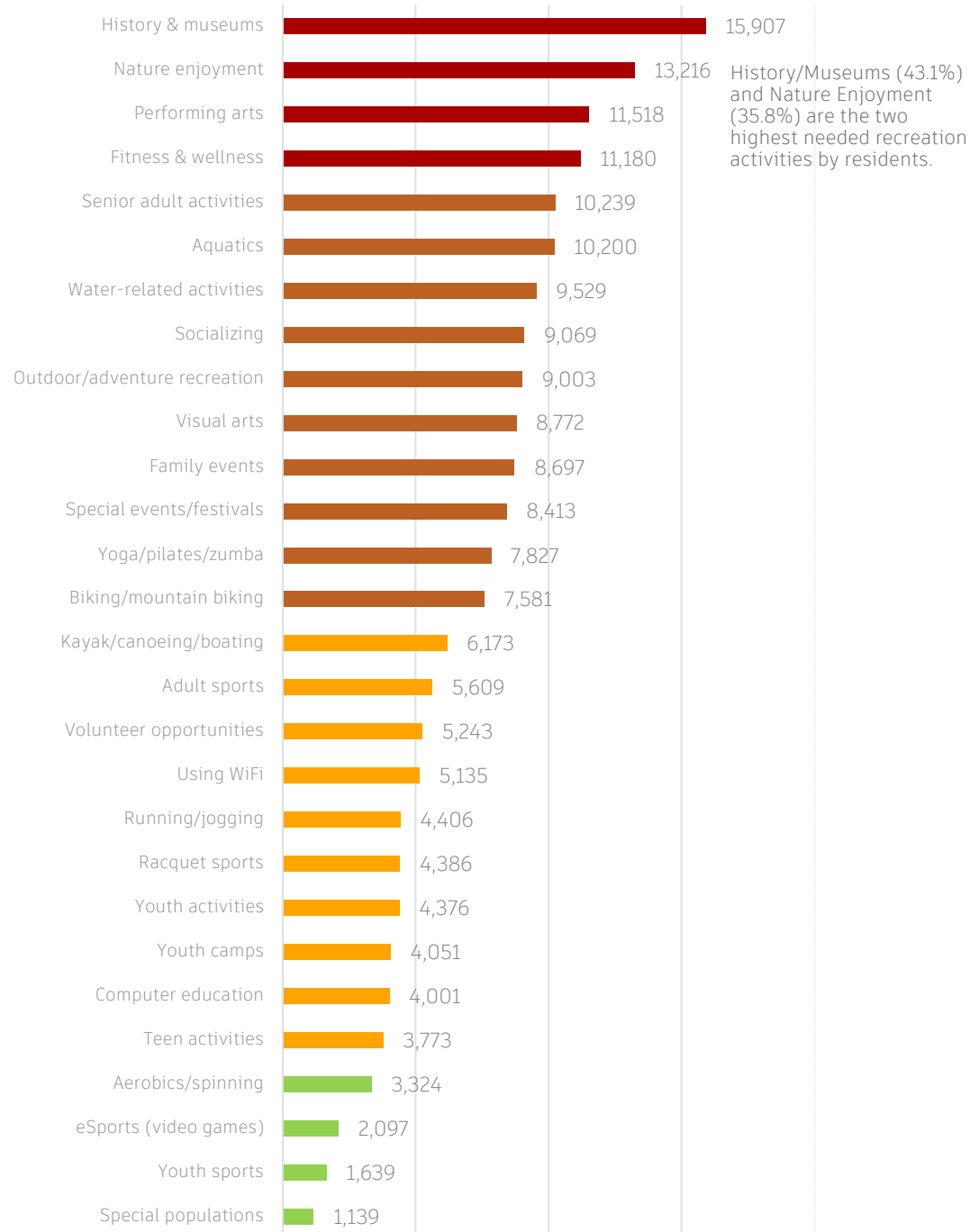




Q8c. Number of households that indicated they have a need for the following park/recreation facility that is currently only being met 50% or less.

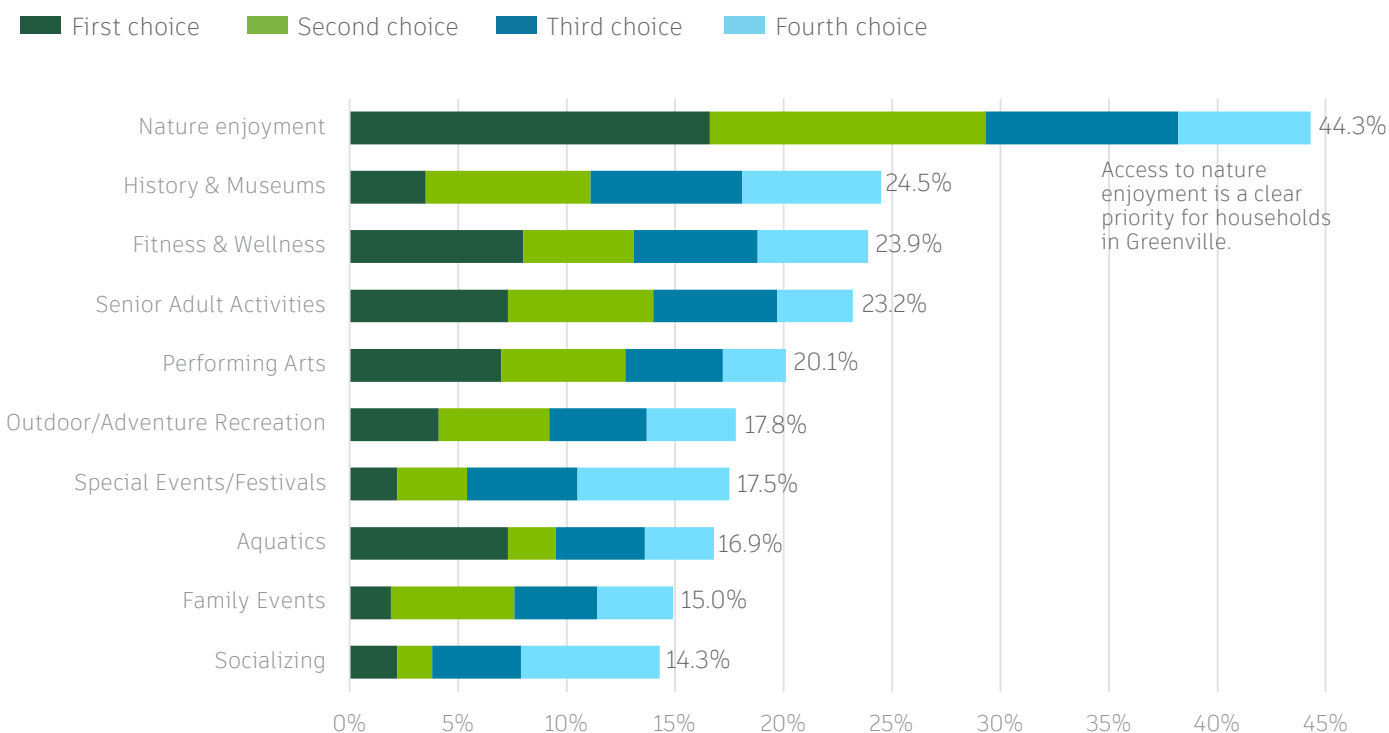
History & museums, nature enjoyment, and performing arts had the highest indicated need. Special population activities, youth sports, and eSports had the lowest indicated need.

■ 30%+ of households ■ 20%+ of households ■ 10 %+ of households ■ Less than 10 % of households



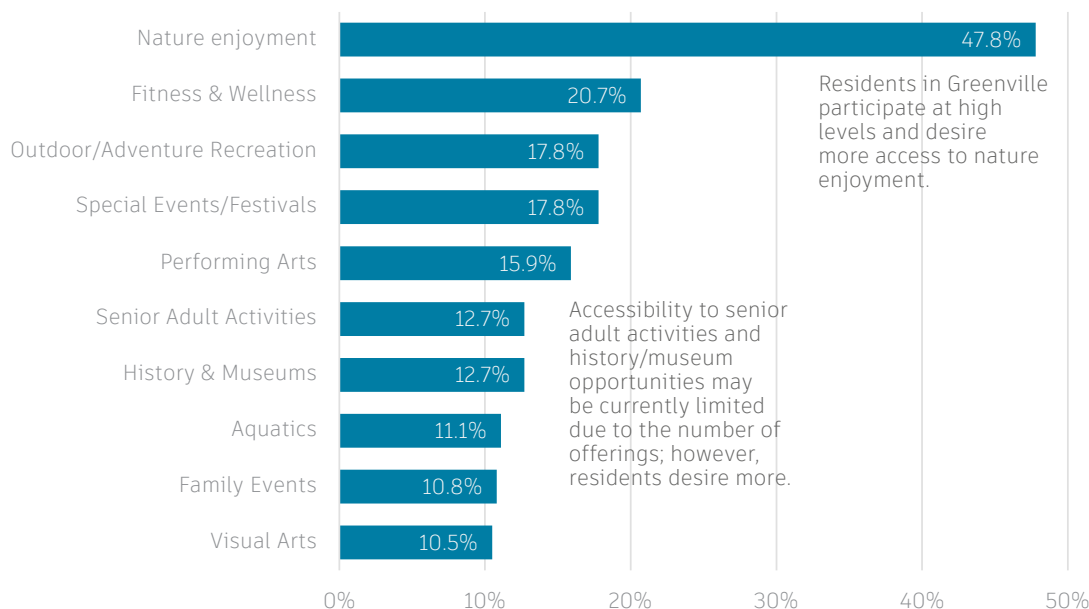
Q9. Which four (4) recreation **activities** are most important for you and members of your household? (Top 10 results)

When asked to rank importance, nature enjoyment became the leading activity by nearly 20% higher than the next activity.



Q10. Which four (4) recreation **activities** do you currently participate in most often (Top 10 results)

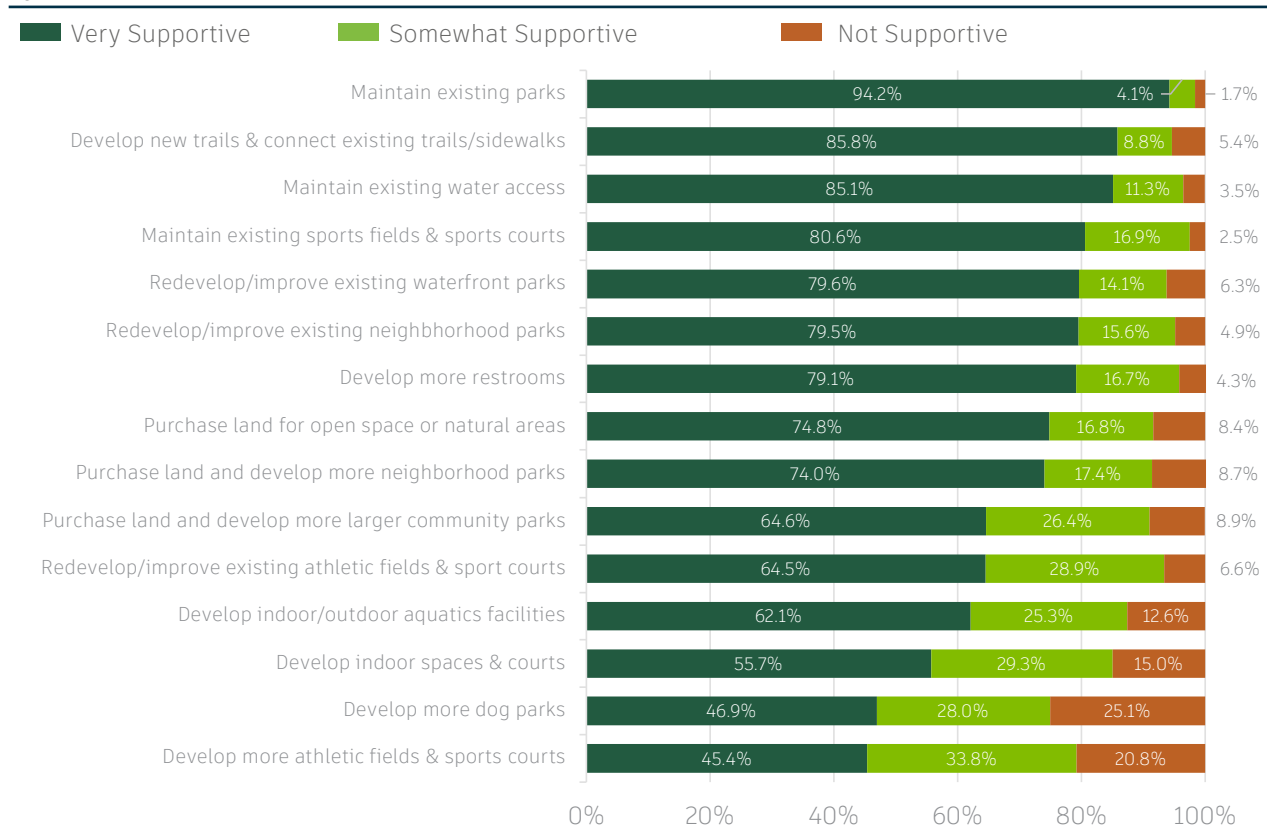
Nature enjoyment was indicated as having the second most need, ranked as the highest most important activity, and most frequent use.





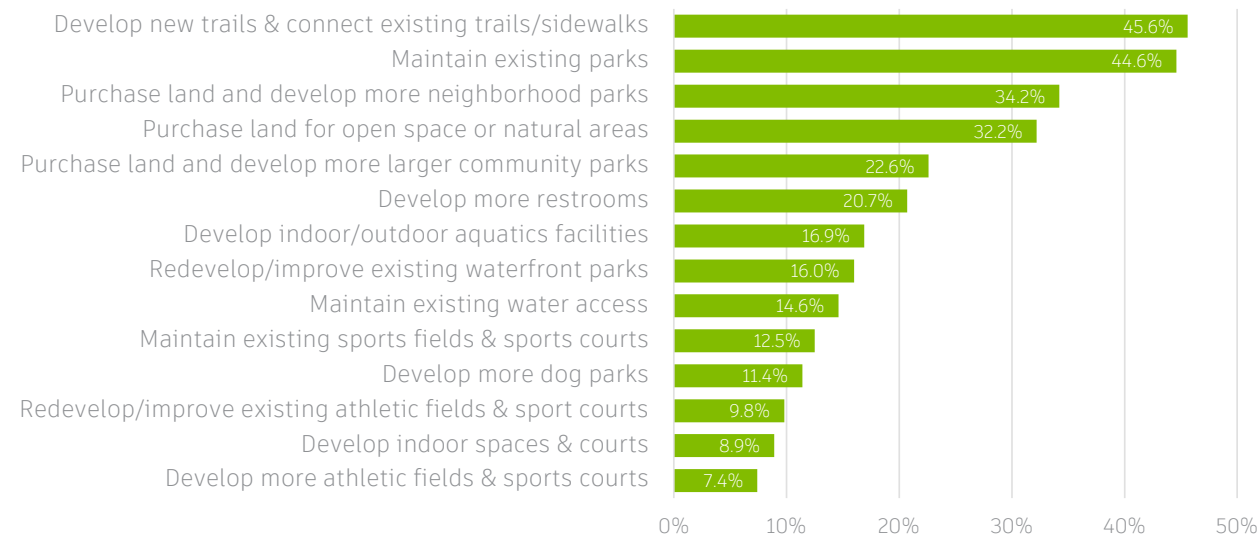
Q12. Rate your level of support for each of the following actions that the City of Greenville could take to improve the recreation and parks system.

The actions that received the most support are focused around maintenance of existing facilities, development of new trails/sidewalks, and redevelopment of exiting waterfront parks.



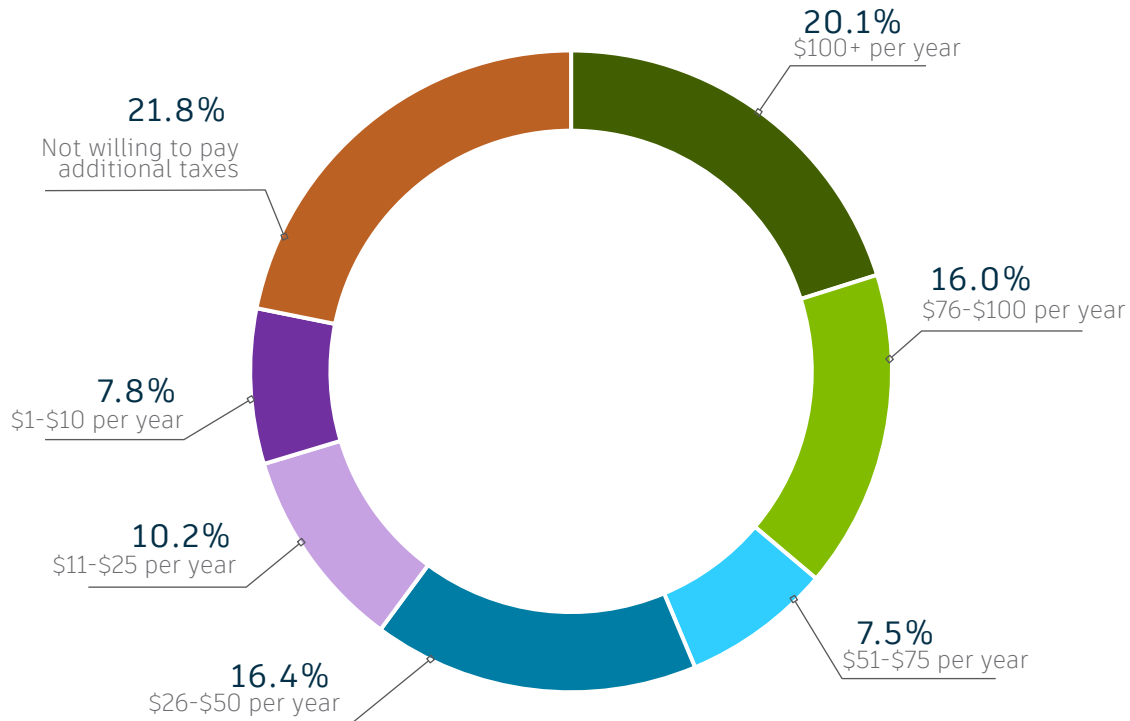
Q13. Which actions would you be most willing to fund with your tax dollars?

The actions most supported by a willingness to fund with tax dollars focus on development of trails/sidewalk, maintaining existing parks, and acquisition of additional parkland.



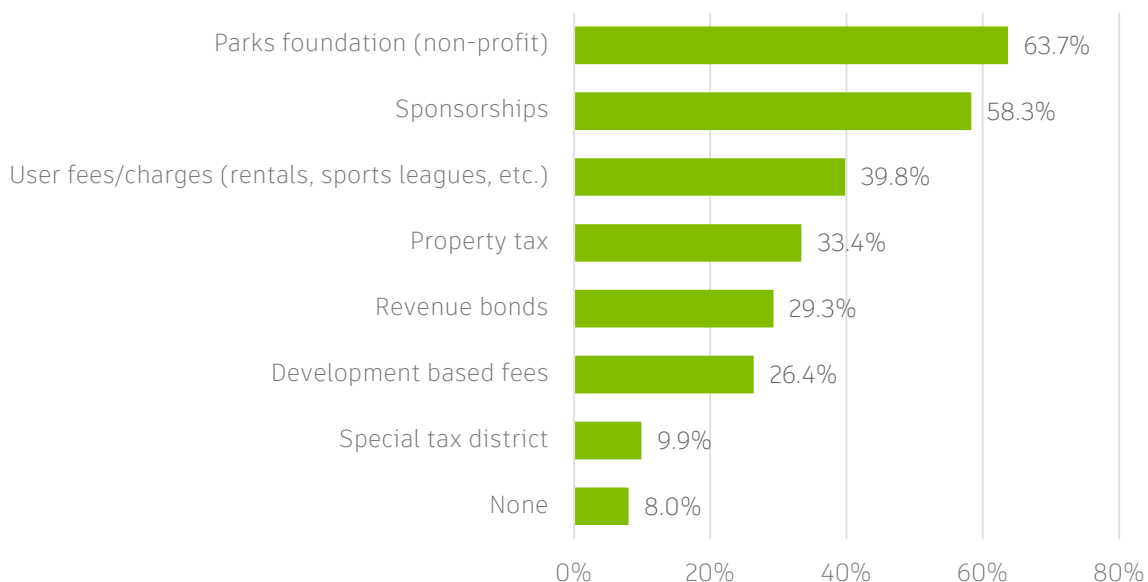
Q14. Check the additional amount you would be willing to pay in additional taxes to fund the action that you indicated as most important to your household.

Over 78% of respondents indicated a willingness to pay additional taxes to fund improvements to parks and recreation.



Q15. Which choices of alternative funding for parks, recreation facilities/programs, and trails do you most prefer?

A majority of respondents support use of a parks foundation and sponsorships as alternative funding sources.





Needs and Priorities Assessment Summary

Through the completion of various public engagement and research techniques, a number of parks and recreation needs and priorities emerged. **Figure G1** provides a summary overview of the findings from each analysis technique, which were further refined based on additional public input and analysis.

Three types of research were utilized in a mixed-methods, triangulated approach to a needs assessment process: observational, qualitative, and quantitative. Together, these research methods provided multiple opportunities to cross-check results and better determine an accurate understanding of Greenville's needs and priorities for parks, recreation facilities, and programming.

The top ten facilities and programs needs are identified as a means to concisely present findings. These facilities and activities are ones identified through multiple techniques to have the highest level of importance and most unmet need by the community. In addition to the identification of the top community-wide needs from public participation and survey techniques, overall priorities have emerged and are listed in descending order to the right.

Key Takeaways:

- Recreation and park facility top needs include trails, additional parks, and select athletic facilities.
- Top recreation program and activities include diverse opportunities from fitness/wellness to nature enjoyment, racquet sports, and adventure recreation.
- Priorities focus on implementation of the City's (MPO's) bike and pedestrian connectivity projects, obtaining additional funding, and diversifying programming and facility offerings.

Top 5 Priorities:

1. Enhance bike and pedestrian accessibility, including to park destinations.
2. Provide equitable access to parks through connectivity and new acquisition or development.
3. Diversify programming to better meet changing demographics and interests.
4. Prioritize natural parks and blueway programming to better connect to water.
5. Prioritize alternative funding options to provide operational funding and additional capital improvements funding.

Figure G1: Needs Assessment Summary Matrix

		Needs Assessment Techniques												
		Guiding Documents	Demographic Analysis	Park Evaluations	Focus Groups	Stakeholder Interviews	Program Assessment	Statistical Survey (Most Support)	Statistical Survey (Attention)	Statistical Survey (Barriers)	Statistical Survey (Needs/Importance)	Online Survey (Needs/Importance)	Online Survey (Most Support)	Level of Service Analysis
		● = Indicates High Needs ● = Indicates Medium Needs ○ = Indicates Lower Needs												
Facilities	Walking Paths / Sidewalks	●	●	●	●	●		●	●	●	●	●	●	●
	Trails/Multi-Use Paths/ Greenways	●	●	●	●	●		●	●	●	●	●	●	●
	Smaller Neighborhood Parks	●	●	●	○	○		●	●	●	●	●	●	●
	Larger Community Parks	●	●	●	○	○		●	●	●	●	●	●	●
	Natural Parks and Preserves	●	●	●	●	○		●			●	○	●	●
	Pickleball Courts	○	●	●	●	●		○	○		●	●	○	●
	Restrooms (Public)		●	●	○			●	●	●	●	●		●
	Multi-Purpose Fields (Soccer, Lacrosse, etc.)	○	●	●	●	●			○		○	●	●	●
	Outdoor Exercise Equipment	●	●	●	●	●					○	●		●
	Canoe/Kayak Launches	●	●	●	●	○			○		○	○	○	●
Programs and Activities	Fitness and Wellness		●		●	●	●				●	●		
	Nature Enjoyment		●		●	●	●				●	○		
	Racquet Sports (Tennis, Pickleball, etc.)		●		●	●	●				●	●		
	Performing Arts (Dance, Theater, etc.)		●		●	●	●				●	●		
	Outdoor Adventure (Rock Climbing, etc.)		●		●	●	○				●	●		
	Special Events/Festivals (Movie Night, etc.)		●		●	●	●				●	○		
	Aquatics (Learn to Swim, Therapy, etc.)		●				●				●	●		
	Water-Related Activities (Fishing, etc.)		●		●	○					●	●		
	History and Museums		●								●	●		
	Yoga/Pilates/Zumba		●				○				●	●		
	Biking/Mountain Biking		●		○						●	●		



Vision & Strategic Plan





Long-Range Vision

Overview

Long-range visions are crucial for effective planning because they provide a roadmap for development over time. By considering factors such as population growth, changing demographics, physical conditions of facilities, and public input, the City can create a blueprint that not only meets the current needs of residents but also anticipates future needs.

Long-range visions can help elected officials make informed decisions about park development, acquisitions, funding, and modifications to policies, among other things. Without a long-term plan, park and recreation systems risk becoming irrelevant to residents and negatively impact quality of life. Therefore, having a long-range vision is essential for creating livable, sustainable, and thriving neighborhoods that can adapt to changing needs and priorities while continuing to meet the needs of their residents well into the future.

Vision Components

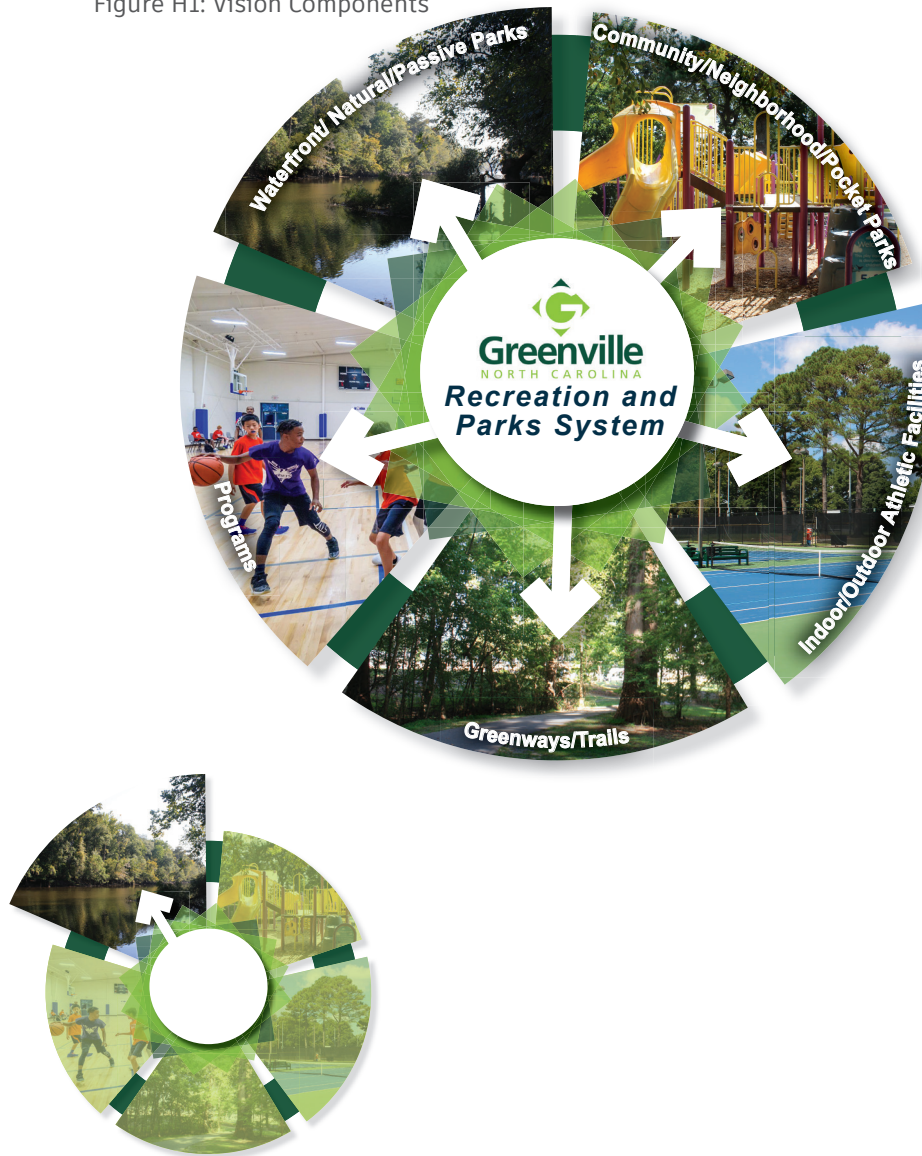
The Recreation and Parks Department has a defined vision to *'To advance parks, recreation, and environmental conservation efforts that promote mental and physical health, serve as a deterrent to illegal or inappropriate behaviors, and enhance Greenville's quality of life.'* By extrapolating this vision statement to incorporate the framework distilled from

Key Takeaways:

- Greenville's vision for recreation and parks builds upon the vision established by the City's Horizons 2026 plan.
- Comprehensive Vision consists of five (5) components defined through public engagement and review of characteristics of the recreation and parks system.
- Working as an interconnected system, the five components identify clear initiatives that can be championed by advocates and progressed by staff.
- Specific goals and objectives are defined to assist in progressing the overall vision.

public input and comprehensive analysis, a set of unique components (Figure H1) can be identified. Combined, these diverse components will guide the development of parks and recreation facilities across the city. Each component was developed through community input and analysis of the existing physical system. Guiding principles identified for each component describe the community's aspirations for the overall system and physical attributes. Accomplishment of this vision will be dependent upon City staff, existing and future partners, and the support of residents.

Figure H1: Vision Components



Waterfront, Natural, and Passive Parks

Guiding principles for waterfront, natural, and passive parks include the following:

- 1. Increase Conservation of Biodiversity:** Protection and preservation of unique ecosystems and biodiversity, providing a haven for endangered species and rare habitats.
- 2. Increase Recreational Activities:** Offering of opportunities for hiking, bird watching, fishing, and other outdoor recreational activities, which promote physical fitness and mental well-being.
- 3. Promote Education and Research:** Provide opportunities for scientific research, education, and interpretation of natural and cultural resources, enabling people to learn about the environment and history of a particular area.
- 4. Enhance Economic Benefits:** Waterfront and natural parks often attract tourists, which can generate revenue, create jobs, and help to retain local leisure activity expenditures.
- 5. Improve Resiliency:** Provide a vital role in enhancing resiliency by absorbing environmental shocks, mitigating hazards, and protecting local environments.



Community, Neighborhood, and Pocket Parks

Guiding principles for community, neighborhood, and pocket parks include:

1. **Promote Physical Activity:** Provide a space for people to engage in physical activity, such as walking, running, and playing sports. This helps promote physical health and can reduce the risk of obesity and other health problems.
2. **Enhance Mental Health:** Spending time in parks has been shown to improve mental health and reduce stress levels. Parks provide a peaceful and relaxing environment for people to escape the stresses of daily life.
3. **Foster Social Connections:** Bringing people together and providing a space for community members to socialize and connect. This helps build a sense of community and can lead to increased social cohesion.
4. **Provide Educational Opportunities:** Providing opportunities for people to learn about nature and local environments. This can help foster a sense of environmental stewardship and promote sustainability.
5. **Improve Property Values:** Increase or sustain property values and make neighborhoods more attractive to homebuyers. This can lead to economic benefits for the community as a whole.



Indoor/Outdoor Athletic Facilities

Guiding principles for indoor/outdoor athletic facilities include:

1. **Improve Community Health:** Municipal sports complexes can promote physical activity and encourage people to lead healthier lifestyles. They provide a space for people of all ages and abilities to participate in sports and recreation activities.
2. **Increase Socialization:** Sports complexes also provide opportunities for socialization, where people can meet new friends and interact with others who share their interests.
3. **Enhance Economic Benefits:** Municipal sports complexes can also have positive economic impacts, as they attract visitors and events to the community, generating revenue for local businesses and the City.
4. **Improve Infrastructure:** Sports complexes can also help improve the infrastructure of a community by creating new facilities and upgrading existing ones.



Greenway and Blueway Trails

Guiding principles for greenways and blueways include the following:

1. **Improve Recreation:** Provide opportunities for people to engage in outdoor activities such as walking, running, cycling, and hiking. These activities can improve physical health, reduce stress, and promote social interaction.
2. **Increase Environmental Benefits:** Preserve natural areas and provide habitat for wildlife. Provide green corridors that connect larger natural areas, which is essential for maintaining biodiversity and reducing negative impacts of urbanization.
3. **Enhance Economic Benefits:** Attract tourists, which can bring economic benefits such as increased property values and can lead to the creation of new businesses.
4. **Improve Transportation:** Provide alternative transportation options, such as walking or cycling, which can reduce congestion and improve air quality.
5. **Enhance Community Connectivity:** Provide important connections between neighborhoods, allowing people to access parks, schools, and other destinations without dependence on vehicles.



Programs

Guiding principles for recreation programming include:

1. **Promote Physical Health:** Promote physical activity, which is essential for maintaining good health. Participating in activities like sports, dance, yoga, and fitness classes can improve cardiovascular health, strength, flexibility, and overall physical well-being.
2. **Improve Mental Health:** Contributing to a positive impact on mental health. Physical activity has been shown to reduce stress, anxiety, and depression, while social activities can help individuals build relationships and a sense of community.
3. **Improve Personal Growth:** Provide opportunities for individuals to try new activities and challenge themselves to learn new skills. By learning, individuals can build confidence, self-esteem, and a sense of accomplishment.
4. **Promote Community Building:** Bring people together and foster a sense of community. By participating in group activities, individuals can meet new people, make friends, and feel a sense of belonging.
5. **Promote Lifelong Learning:** Provide opportunities for lifelong learning. Individuals can learn new skills and acquire knowledge in a fun and engaging way.



Implementation Strategies

Overview

The implementation of recreation and park planning is crucial for the development and sustainability of neighborhoods. Effective planning enables the creation of well-designed and functional park and recreation spaces that meet the needs of residents and visitors, while promoting social cohesion, improved health, and environmental sustainability. Effective planning also helps ensure that access to resources such as open spaces, playgrounds, athletic fields and courts are efficient and equitable.

Planning helps to ensure that the built environment is safe, accessible, and resilient to natural disasters and other shocks. Recreation and parks planning also plays a key role in shaping the character and identity of Greenville, reflecting its cultural, historical, and natural heritage. Overall, the implementation of recreation and park planning is essential for creating livable, prosperous, and resilient neighborhoods that meet the needs of present and future generations.

To advance the Long-Range Vision established for Greenville, implementation strategies must be defined and priorities established. Implementation strategies play critical roles in making the vision realistic and are intended to provide guidance in bringing the master plan vision to reality through four critical

Key Takeaways:

- The Department cost recovery rate has rebounded to 20.6% for 2023, higher than the 2019/pre-pandemic rate of 18.3%.
- Inflation has resulted in a reduction of funding value by 7.7% since 2012 while factoring numerical increases.
- Capital projects and land acquisition have been grouped into three (3) phasing timeframes: Short-Term (1-5 Years), Medium-Term (6-10 Years), and Long-Term (10+ Years).
- 65% of total costs are recommended for completion or substantial progress within the next ten (10) years.
- Historic trends in capital improvement funding may provide between \$16.7 - \$34 million over next ten years, 22-45% of needed funding, therefore requiring additional sources.
- Partnerships are key for implementation and may help to reduce projected costs.
- Short-term projects have a probable cost estimate of \$40.5 million, with the Town Common bulkhead replacement deferred costs representing \$22 million or 55%.
- Short-term projects require an additional \$616,567 in operating and maintenance (O&M) costs annually resulting in approximately 5-6 additional FTE positions.

elements: funding analysis, probable cost estimate, phasing strategies, and prioritization.

The Long-Range Vision identified five (5) components, each defined through a series of guiding principles. Defining each component allows City staff to better understand how to address needs and priorities identified throughout the planning process, as well as individual park needs that resulted from the park evaluations and public input.

Utilizing this information, recommendations intended to satisfy system-wide objectives have been developed at an individual park level. These recommendations form a portion of the probable cost estimate. In addition to costs associated with vision-based recommendations, cost estimates also incorporate projects that have been previously identified by the Department, including requested or unfunded projects identified in the Capital Improvement Plan (CIP).

Funding Analysis

Revenues and expenditures over the last decade (Figure I1) have remained consistent. Many communities were quick to reduce expenditures as uncertainties arrived in early 2020, only to find out in some cases that revenues were not as impacted or were impacted in ways that balanced incoming federal and state subsidies.

Funding for fiscal year (FY) 2023 is 9% above the historic average; however, it must be noted that while funding has remained consistent numerically across the last 10+ years, when inflation is considered, funding is 7.7% below 2012 value. Since 2012, inflation has reduced values by 30%, wiping out all increases in funding realized by the Department.

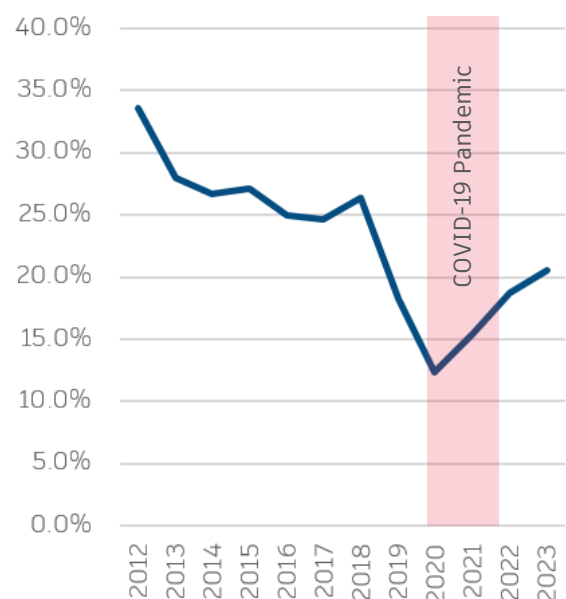
During FY 2020, revenues decreased approximately 30% from FY2019 levels. Expenses decreased 10% the following year in FY 2021 in response to facility and park closures. Before the pandemic, the Department's cost recovery

Figure I1: City of Greenville Recreation and Parks Department Revenues and Expenditures (2012-2023)

Year	Expenses	Revenues
2012	\$6,504,517	\$2,181,639
2013	\$7,254,788	\$2,032,002
2014	\$7,429,094	\$1,981,598
2015	\$7,400,170	\$2,007,186
2016	\$7,457,419	\$1,864,662
2017	\$7,503,495	\$1,851,389
2018	\$7,573,949	\$1,999,487
2019	\$6,884,779	\$1,262,688
2020	\$7,184,198	\$888,220
2021	\$6,497,083	\$1,001,475
2022	\$7,206,678	\$1,347,050
2023	\$7,936,842	\$1,631,850
Avg.	\$7,236,084	\$1,670,771

Note: 2023 figures are projected

Figure I2: City of Greenville Recreation and Parks Department Cost Recovery (2012-2023)



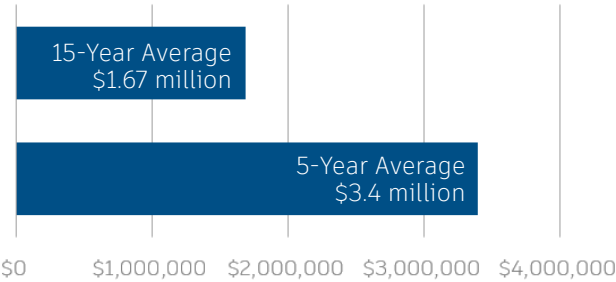
Note: 2023 figures are projected



was already decreasing, from 33.5% in FY 2012 to 18.3% in FY 2019, **Figure I2**. As the impacts of the pandemic reduced venues, the cost recovery dropped to a low of 12.4% in FY 2020. Since reaching a low point in FY 2020, cost recovery has increased to a projected 20.3% in FY 2023.

Historic sources of funding for the Department have been the City’s General Fund (property taxes, sales tax, utility fees, transfers, etc.) and the Facilities Improvement Fund (FIP) which splits the funding of deferred maintenance capital projects between the Recreation and Parks Department and Public Works Department. Over the last 15 years, the average annual capital improvements funding has been \$1.67 million. Over the last five years, a few significant capital projects have been funded which has increased the five year average up to \$3.4 million annually, **Figure I3**. This increase is a result of the City receiving several grants and sizable donations used to fund capital projects. If these trends are assumed to continue over the next ten years, the Department could expect to receive between \$16.7 and \$34 million in funding for capital funding.

Figure I3: Historic Annual Averages in Capital Project Funding

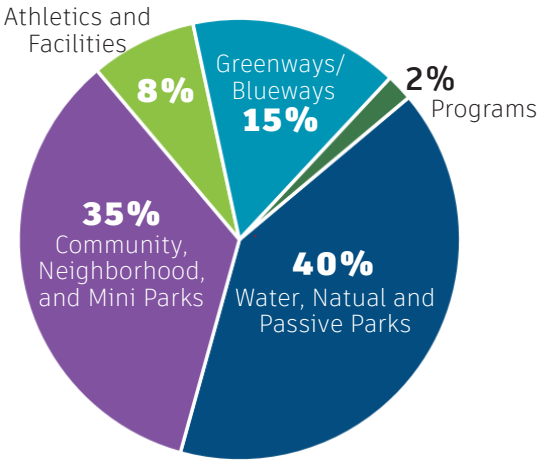


Probable Cost Estimates

Based on cost estimates derived from parks and open space evaluations and projects identified in Capital Improvement Program (CIP) requests and recommendations associated with the Master Plan Vision, the estimated probable cost is approximately \$116.6 million in 2023

dollars for complete implementation of all five (5) components of the Vision (**Figure I4**). Replacement of the bulkhead at Town Common is an outlier as this project represents a significant unfunded deferred maintenance need and at an estimated \$22 million in cost, is 55% of the total short-term capital projects.

Figure I4: Total Capital Cost Percentages by Project Types



The total capital costs estimate includes system improvements anticipated to occur to establish and maintain park delivery within ten (10+) years. Estimated costs are aligned to park components. The full list of projects and estimated costs used to derive the total estimate includes over 130 line items. Escalation is an important consideration for medium-and long-term projects primarily. The US Bureau of Labor Statistics - Consumer Price Index was 9.49% in 2022 and was projected to be 4.5% in 2023 and 2.9% in 2024. Construction cost increases should be considered prior to a project progressing into the funding stage.

An additional cost consideration is the role that partnerships may have in reducing capital or acquisition costs for the City. Implementation of higher cost facilities such as greenways should first consider opportunities to partner with the Greenville MPO or other agencies. Partnerships have the potential to significantly reduce costs, while remaining projects could be further reduced through strategic use of grants.

Trend of Expanding Parkland Dedication Ordinances

The following includes excerpts of an article published by NRPA (Dec. 2021) and written by John L. Crompton, Ph.D, a noted professor of Park, Recreation, and Tourism Science at Texas A&M and elected council member for the City of College Station.

Courts have consistently endorsed and enhanced the principle of communities passing the costs of growth through to new residences that created the costs. The following information highlights the evolution of parkland dedication ordinances that has occurred over the past half century.

Parkland Dedication

One of the oldest approaches to obtaining parkland was through land dedication which typically included a fixed formula imposed mandating the dedication of land for parks. Developers are required to deed a specified amount of land on their site for a park. A primary challenge with this approach is that many development projects are relatively small in acreage, resulting in small park spaces being dedicated. These fragmented parks spaces offer limited potential for recreation and are relatively expensive to maintain. Additionally, the cost of development a park, which is typically much more than the value of the land, is not included.

Fee-in-Lieu of Parkland

This type of ordinance requires developers to pay a fee-in-lieu of the fair market value of the land that otherwise would have been required with a simple land dedication ordinance. A primary benefit of this type of ordinance is that it frequently means fees can be spent off-site and agglomerated to potentially target larger, more meaningful park acquisition opportunities. For many communities, this

type of ordinance expands options beyond acquiring land. Funds can typically be used to develop improvements on parkland and/or to renovate or expand existing parks.

Park Development Fees

The emergence of park development fees over the last couple decades reflects a realization that providing only land requires existing taxpayers to pay the costs of transforming land into a functioning park. Thus, some communities have adopted park development fees as a mechanism to offset costs associated increased needs from new development. Development fees are frequently paired with parkland dedication ordinances.

Park Impact Fees

Similar to most parkland dedication ordinances, park impact fees frequently consist of a fixed formula fee on a per dwelling unit basis for new construction. In North Carolina, city governments may impose impact fees for corporate limits as well as its extraterritorial jurisdiction districts (ETD). At the core of impact fees, is the purpose of placing equitable share of costs for new community facilities upon developers and inhabitants of newly developed areas. Whereas to fully capture the added burden of new development, a community would need to enact either a parkland or fee-in-lieu of parkland ordinance plus a park development fee ordinance, a park impact fee typically allows more flexibility to utilize fees for capital outlay items such as acquisition of land or development of parks and recreation facilities within the rational nexus of meeting the needs of the new development.

Creating Greater Awareness

Although courts have embraced these ordinances, relatively few cities have adopted these measures. Consequently, the unrealized potential of parkland dedication ordinances is arguably the lowest hanging fruit of capital funding sources for parks.



Phasing Plan

The Phasing Plan for capital improvement projects is comprised of three (3) different phases based on community needs and priorities and input from Department staff. These phases, summarized in **Figure 15**, provide a framework for the implementation of over \$116.6 million in capital improvements. Approximately 35% of total capital costs is included in the short-term phase, which means targeted for completion or substantial progress in the next 1-5 years. An additional 30% of projects is shown in the medium-term phase, to be completed in the next 6-10 years. Finally, the long-term phase includes projects that have a lower priority or take longer to identify funding or partners. These projects are likely to not be completed within the next ten (10) years and represent 35% of project capital costs.

Figure 15: Total Capital Cost Percentage by Recommended Phase

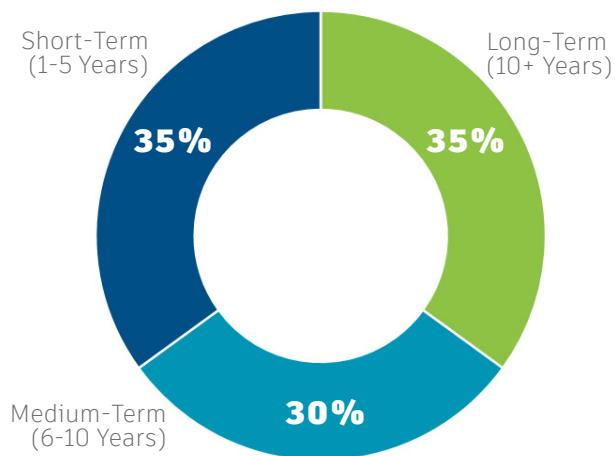
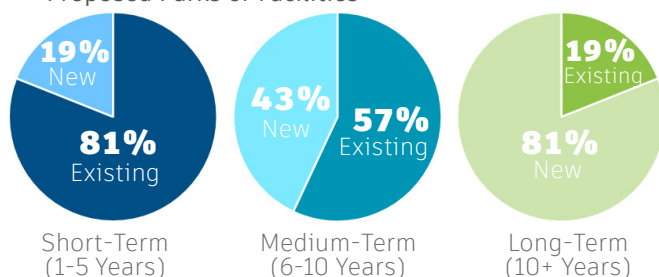


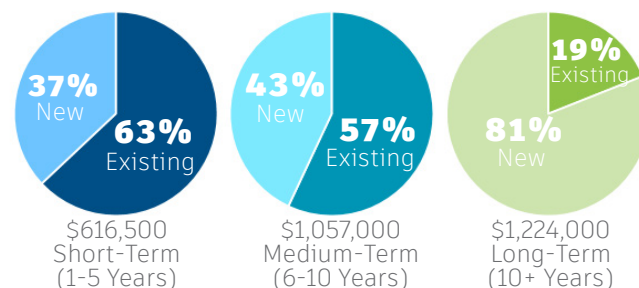
Figure 16: Total Capital Cost Percentage by Phase: Reinvestment/Existing Parks and Facilities or New/Proposed Parks or Facilities



Operations and Maintenance (O&M) Costs

With the addition of new facilities and increased park acreage, O&M costs can be expected to increase. This plan is conservative in the assumption that the replacement of existing park amenities or facilities will result in a minimal cost adjustment for O&M. Improving existing parks or adding new parks and facilities will commonly result in additional O&M costs, however, in some cases costs may be reduced. **Figure 17** identifies the estimated phased annual increase in O&M costs for new and existing facilities.

Figure 17: Total Annual O&M Costs by Reinvestment/Existing Parks and Facilities or New/Proposed Parks or Facilities



Additional short-term O&M costs are projected to be \$616,567 annually, resulting in approximately 5-6 additional FTE staff positions based upon a national average of \$103,272 in funding per FTE position.

Full implementation of the Long-Range Vision is estimated to increase O&M by approximately \$2.89 million annually, or approximately 3% of capital improvements. This equates to an estimated \$30,000 in O&M costs for each \$1 million in capital investment, however, higher costs are associated with the addition of new facilities or amenities vs. replacement. Additional staffing needs from implementation of short and medium-term projects would result in 15-17 FTE positions. New positions would be spread across divisions and may include park rangers, special event staffing, trail and facility maintenance and custodial staff.

Project Prioritization

In order for the Department to be able to prioritize projects, a criteria is needed that responds to community-wide needs and goals. The following criteria, **Figure I8**, can be used as a test for each opportunity or project in order to determine its level of priority in comparison to other projects. This will promote the maximum efficiency of limited resources for the Department.

When the prioritization criteria is applied to projects, the following are the highest scoring in descending order by phase timeframe. **Figure I9** identifies the top 20 projects for completion within the next five years; **Figure I10** identifies the top 20 projects to be completed within the medium-term timeframe or in the next 10 years. **Figure I11** identifies the top 15 priority projects for the long-term timeframe or those that may take more than ten years to implement.

Figure I8: Prioritization Criteria

Criteria	Score Range
Improves Access or Connectivity	0-5
Improves or Advances Equity Goals	0-5
Documented Public Need or Demand	0-5
Potential to Leverage Alternative Funding Sources or Matches	0-4
Funding or Programming Partners Potential	0-4
Revenue Generation Potential	0-3
Lifecycle Replacement or Existing Deferred Maint.	0-3
Incorporates Green Infrastructure and Practices	0-3
Total Potential Score	32

Figure I9: Short-Term (1-5 Years) Project Prioritization Rankings

Priority #	Location/Project	Cost	Score
Town Common		Cost	Score
1	Deferred infrastructure replacement: Replacement of 1,570 LF steel sheet pile bulkhead with a terraced system to promote connection to river, withstand flooding, and allow for boat docking.	\$22,000,000	20
Woodlawn Park		Cost	Score
2	ADA access; curb ramps and sidewalk 5 ft width	\$30,000	18
Hillsdale Park		Cost	Score
3	ADA access; crosswalk to site; sidewalk into site	\$50,000	18
Rivers Edge Park		Cost	Score
4	Kayak launch; blueway signage	\$35,000	17
Wildwood Park		Cost	Score
5	Boardwalk to connect Wildwood Park to River Park North and Pedestrian Bridge to Complete Wildwood Park West Trail Loop.	\$3,500,000	17
Perkins Athletic Complex		Cost	Score
6	Sports Connection: Batting cage area replacement/upgrade of pitching machines and netting.	\$200,000	17
7	ADA path from 14th St. to ballfields; 6 ft width.	\$29,750	16
Bradford Creek Soccer Complex		Cost	Score
8	ADA path; 6 ft wide	\$17,500	16
Greenville Aquatics and Fitness Center		Cost	Score
9	Facility renovation; fitness and strength equipment replacement, flooring replacement for fitness area, gym and rubber multi-purpose flooring.	\$500,000	16
Paramore Park		Cost	Score
10	Trailhead kiosk; signage, bike racks, bike repair station	\$30,000	16
Greensprings Park		Cost	Score
11	Trailhead kiosk, bike repair station	\$40,000	16
Jaycee Park		Cost	Score
12	Create entrance enhancements, expand art classrooms, add storage space, a conference room, and administrative offices.	\$1,500,000	16
Greenville Aquatics and Fitness Center		Cost	Score
13	Pool renovations to include replaster the pool, replace the sand filter, paint pool area, replace drain covers.	\$250,000	15
Future Mini Parks		Cost	Score
14	Council District 4: New Mini Park #1	\$745,000	14
14	Council District 5: New Mini Park #2	\$745,000	14
Future Neighborhood Parks		Cost	Score
14	Council District 4: New Neighborhood Park #2	\$3,080,000	14
Town Common		Cost	Score
15	Blueway signage	\$30,000	14
Evans Park		Cost	Score
16	River Birch Tennis Center: Replace and upgrade court lights. Resurface courts if needed. Upgrade security lighting.	\$500,000	14
Matthew Lewis Park		Cost	Score
17	Unpaved hiking trail	\$75,000	13
H. Boyd Lee Park		Cost	Score
18	Additional unpaved trail	\$100,000	13
Paramore Park		Cost	Score
19	Add a Sprayground and restroom with additional parking.	\$850,000	13
Bradford Creek Soccer Complex		Cost	Score
20	Field Lighting (full-size soccer) for three fields; acquisition of currently leased parcel used for overflow parking	\$1,000,000	13



Figure I10: Medium-Term (6-10 Years) Project Prioritization Rankings

Priority #	Location/Project	Cost	Score
New Greenways and Trails			
1	Council District 5: 1.5 miles of new greenway trail	\$2,587,500	21
New Greenways and Trails			
2	Council District 2: 1.5 miles of new greenway trail	\$2,587,500	20
Town Common			
3	Construct First Street Promenade, add Green Room, Concession Stands, Amphitheater and Seating Improvements, and Removable Fencing System.	\$10,200,000	20
Westpointe Park			
4	Construct a new entrance, parking lot, event shelter, restrooms, outdoor basketball court, dog park, and walking trail.	\$1,450,000	19
H. Boyd Lee Park			
5	Renovate detached restrooms and scorers tower. Address site drainage. Add shade structures over bleachers. Add a new detached restroom close to volleyball facility. Add a dedicated Lacrosse Field. Add facility lighting.	\$1,500,000	17
River Park North			
6	Trailhead kiosk w/ map, bike repair station	\$40,000	16
Phil Carroll Nature Preserve			
7	Construct a nature themed play feature; gravel parking, park signage; utilities, two shelters, restrooms, unpaved hiking trails 15% A&E, permitting	\$2,087,250	16
Greenfield Terrace Park			
8	Restroom replacement; w/ 20x20 shelter	\$450,000	16
Jaycee Park			
9	Install 8 pickleball courts with lighting and a restroom facility.	\$1,000,000	15
Greenfield Terrace Park			
10	6 ft wide sidewalk into park and perimeter path on west side	\$115,500	15
Future Mini Parks			
11	Council District 4: New Mini Park #5	\$745,000	14
11	Council District 5: New Mini Park #6	\$745,000	14
Future Neighborhood Parks			
11	Council District 5: New Neighborhood Park #3	\$3,080,000	14
Eastside Park			
12	Construct a playground and an off-leash dog park with signage and lighting; gravel parking, park signage; utilities; 15% A&E, permitting	\$1,983,750	14
Matthew Lewis Park			
13	Replace restroom facility	\$400,000	14
Future Mini Parks			
14	Council District 1: New Mini Park #3	\$745,000	13
14	Council District 2: New Mini Park #4	\$7,450,000	13
Bradford Creek Soccer Complex			
15	Sod replacement; subgrade drainage tile	\$1,250,000	13
Evans Park			
16	Unpaved hiking trail	\$75,000	13
Westhaven Park			
17	Perimeter paved walking path; 6 ft width	\$15,000	13
18	ADA improvements; entry, seating	\$20,000	12
Thomas Foreman Park			
19	Regrade and resod the Baseball Field and improve field drainage	\$350,000	12
H. Boyd Lee Park			
20	Multipurpose Field (no lighting)	\$450,000	12

Figure I11: Long-Term (10+ Years) Project Prioritization Rankings

Priority #	Location/Project	Cost	Score
New Greenways and Trails			
1	Council District 5: 1.0 mile of new greenway trail	\$1,725,000	21
1	Council District 4: 1.5 mile of new greenway trail	\$2,587,500	21
New Greenways and Trails			
2	Council District 2: 1.0 mile of new greenway trail	\$1,725,000	20
2	Council District 1: 1.5 mile of new greenway trail	\$2,587,500	20
Phil Carroll Nature Preserve			
3	Phase 2: paved parking, paved and unpaved trails; trailhead, kayak launch, parking; maintenance facility, 15% A&E, permitting	\$1,897,500	18
Eastside Park			
4	Phase 3: Paved and unpaved trails; trailhead, kayak launch, parking; maintenance facility, 15% A&E, permitting	\$1,653,125	18
Port Terminal (City-Owned Land)			
5	Phase 1: unpaved parking, unpaved hiking trails; trailhead, wayfinding/signage, 15% A&E, permitting	\$345,000	17
Eastside Park			
6	Phase 4: Disc golf, additional paved/unpaved trails, mountain biking trails, additional signage/wayfinding, 15% A&E, permitting	\$991,875	16
7	Phase 2: Multipurpose field, walking paths, restroom, two (2) shelters w/ picnic tables, wayfinding, nature/discovery play feature; 15% A&E, permitting	\$4,390,125	16
South Greenville Park and Recreation Center			
8	Rec Center fitness equipment; renovation	\$250,000	16
Greenfield Terrace Park			
9	Multipurpose field; no lighting; additional paved parking; two sport courts; two (2) 20x20 shelters w/ picnic tables; canopy trees and landscaping	\$935,000	16
Jaycee Park			
10	Replace existing extreme park ramps with concrete skate and BMX park	\$1,250,000	15
Future Mini Parks			
11	Council District 4: New Mini Park #10 & 11	\$1,490,000	14
11	Council District 5: New Mini Park #12 & 13	\$1,490,000	14
Future Neighborhood Parks			
11	Council District 4: New Neighborhood Park #5	\$3,080,000	14
11	Council District 5: New Neighborhood Park #5	\$3,080,000	14
Future Mini Parks			
12	Council District 2: New Mini Park #9	\$745,000	13
Station Road Park			
13	Develop initial park amenities to include a shelter, playground with EWF surface, parking and open lawn. Includes planning, design and permitting.	\$556,250	13
Future Mini Parks			
14	Council District 1: New Mini Park #7 & #8	\$1,490,000	12
Future Neighborhood Parks			
14	Council District 1: New Neighborhood Park #4	\$3,080,000	12
H. Boyd Lee Park			
15	Playground replacement w/ PIP surface	\$450,000	12

Grant Stacking

Utilizing multiple funding sources has become the most effective way of maximizing the amount of funding a community can obtain. Grant stacking allows a project to draw funding from several sources. The idea of grant stacking refers to grouping grants of varying levels (federal, state and local) to support one project. Careful selection of grants can result in one grant providing the matching funds requirement for another grant and the reciprocal as well. This process can address acquisition and development in phases to best meet a project's intent and time schedule.

One specific capital project that may benefit from this strategy, is the Town Common bulkhead replacement. As a significant infrastructure project, seeking alternative funding sources such as state or federal appropriations leveraged by local match funding is recommended. Additionally, seeking hazard mitigation funding sources could utilize the same local match or appropriations.

Cost Recovery

Cost Recovery is not a philosophy, it is a strategy in the much larger context of how the Department secures and allocates resources, that allows it to maximize services. Fees and charges are considered a responsible and necessary means to supplement tax revenue, with a focus on mission and affordability of the Department's most critical programs for the City's most at-risk populations.

Dr. John Crompton notes in his article in Parks and Recreation magazine (January 2020), for fee-based services: *"the appropriate policy is to charge the break-even price to higher income cohorts [using the Benefit Principle] and meet the Ability to Pay Principle by giving discounts to low-income users, rather than offering the service to everyone at a reduced price,"* or charging everyone the break-even price and effectively excluding low income residents.

The Department should evaluate current policies and goals, and update as they relate to cost recovery. Goals should focus on a total for the Department but have sub-categories and goals that feed into the total. At minimum the Department should break out the following facilities from an expense and revenue perspective, which could correlate to cost recovery goals.

- Greenville Aquatic & Fitness Center
- Recreation Centers (group together)
- Bradford Creek Soccer Complex
- Greenville Outdoor Aquatic Facility
- Jaycee Center for Arts & Crafts
- Perkins Baseball Complex

Based upon similar Departments, **Figure I12** identifies comparable cost recovery rates for various facility types. The Department will need to continue to evaluate and monitor performance but setting targets for facility operations and disseminating that information outward into the Department is important. An additional consideration for a change in policy should be to implement a targeted increase in cost recovery combined with a strategy to reinvest additional revenues (above a threshold) directly into the parks contributing.

Figure I12: Typical Cost Recovery Ranges Based on Facility Types

Facility Type	Typical Cost Recovery Range
Modern Recreation Center w/ Aquatics	80-90%
Community Centers w/ Gymnasiums Only	50-75%
Outdoor Soccer/Baseball Complex (non-tournament)	50-60%
Outdoor Pool (not municipal water park)	40-60%
Arts & Crafts/Enrichment Focused Program Facility	50-75%



Complimentary Providers

Exploring potential complimentary providers in the Greenville area will help ensure that neighbors have enhanced and equitable access to recreation and program opportunities. Other organizations that provide facilities and activities include:

- **Youth Sports Organizations** – Should continue to be responsible for providing some team sports for youth. However, the Department will still need to provide most, if not all, the facilities for these activities. It is recommended that the Department establish a youth athletics council that meets monthly. This council would work to coordinate programs and activities, prioritize athletic facility usage, and promote coaches training
- **Pitt County Community Schools** – Coordinating with the school district to provide youth after school programs and services, education classes for youth (and even adults), as well as youth sports (location for practices and games), will need to be enhanced. All 33 schools in Pitt County are designated as Community Schools. Playgrounds are designated as school parks and many athletic facilities are utilized through collaboration and partnerships with the community. School trails are surfaced with fine screening and are accessible to wheelchairs, strollers and walkers. Trails and playgrounds are available to the public during non-school hours. Citizens are encouraged to use facilities for physical activity, fun and family activities.
- **Other Government Providers** – There needs to be strong efforts to partner with other governmental agencies in the area to develop programs and services. This is most likely to occur with Pitt County and neighboring communities. Program areas that could be provided by other organizations through a partnership include special needs, special events, and outdoor recreation activities. Currently there are 19 additional parks, trails, and other recreation facilities provided by Pitt County, or Winterville, Ayden, Grifton, Farmville, Bethel, Grimesland, or Simpson.
- **Non-Profit Providers** – Coordinating with a variety of non-profit providers to deliver recreation services needs to continue to be pursued. Organizations such as the Boys & Girls Club, YMCA, cultural arts groups, etc. should be encouraged to continue to develop facilities and provide programs in Greenville. These types of organizations are well positioned to provide a variety of programs in different areas
- **Private Providers** – There are a considerable number of private recreation, sports, and fitness providers located in the Greenville market (health clubs, dance, martial studios, and arts studios). These entities should be counted on to provide more specialized activities that are difficult for the public sector to conduct.
- **Faith Based Organizations** – With a significant number of churches and other faith based institutions in the community, they often provide some recreation services for their congregation and community. These organizations should be seen as possible providers of some basic community based recreation services and facilities as well.
- **Colleges and Universities** – There are several colleges and universities in Greenville including Eastern Carolina University (ECU) and Pitt Community College that could be potential program partners. It is often more difficult to develop direct programs with these institutions but the possibilities should still

be pursued. At minimum, students provide possible program staff and instructors. ECU owns and operates the North Recreation Complex which is located within city limits. Continued exploration of partnership to promote the use of such a sports complex would be the benefit of the City.

- **Convention and Visitors Bureau** – There should be a strong effort to enhance the existing partnership with the Greenville-Pitt County Convention and Visitors Bureau or Greenville-Pitt County Sports Commission to attract and promote additional special events, tournaments and other recreation activities that attract visitors to the community.
- **Medical Providers** – If the Department truly focuses on fitness and wellness programming in the future then an expanded primary/ equity partnership with Vidant Health or ECU Brody School of Medicine may be essential.
- **Social Service Agencies** – There is a trend with parks and recreation departments in North Carolina and throughout the country to integrate social services with recreation services. This is particularly true for youth and seniors. As an example, the partnership with the Pitt County Health Department on programming and services continues to be a vital resource. To expand social services, there should be a renewed effort to expand partnerships with other agencies in the area.
- **Community Organizations** – Developing working relationships with community organizations and service clubs such as the Rotary Club, Jaycee Foundation, and Kiwanis International could provide much needed support for programs as well as facilities. They could also be sponsors.
- **Business and Corporate Community** – It is important to approach the corporate community with a variety of sponsorship opportunities to enhance the revenue prospects of the Department's programs and facilities. Recently, the Department has received substantial support from local businesses for numerous capital projects including Grady-White Boats, Inc. and their substantial support of Wildwood Park. With completion of an updated city-wide master plan, the Department's ability to leverage identified need and community vision for parks and recreation should continue to have an impact on receiving financial support from the business community.



Strategic Plan

Overview

The funding analysis and phasing plan outline considerations for implementing various improvements. The Strategic Plan outlines specific actions needed to implement the vision.

Figure J1 identifies objectives to help implement priorities identified in the previous section. Each goal includes a list of objectives, timeframes, and role that the Department has in implementing. Three timeframes are utilized: “short-term” represents priority objectives to be completed in the next 1-5 years, and “medium-term” represents objectives that may take up to ten years to complete. The last timeframe is ‘Ongoing’ which is for objectives that are currently being completed and are to continue.

Priority of objectives is tied to public and staff input gathered and documented throughout the needs and priorities assessment. Together, these components will allow the City to review and efficiently revise the implementation plan, as needed in the future, to reflect changing conditions, demographics, or priorities.

Key Takeaways:

- Definition of objectives is intended to assist City staff with implementation prioritization.
- Three categories of time are used to prioritize the Objectives: Short-Term (1-5 Years), Medium-Term (6-10 Years), and Ongoing.
- Objectives items include timeframe and define the role of the Recreation and Parks Department.
- Strategic Plan objectives should be reviewed regularly and updated as priorities change or they are completed.

Figure J1: Strategic Plan Goals and Actions

#	Goal	Objective	Timeframe (Initiation)	Role of R&P Dept
1	Continue to develop a safe trail system for the city to increase accessibility to existing parks.			
1.1	Continue to partner with MPO, Pitt County, Winterville and others to identify and develop priority greenway and blueway trails.		Ongoing	Partner
1.2	Develop standards for trails, trailheads and trail amenities in City parks.		Short-Term	Owner
1.3	Identify and develop priority blueway launch points at City parks.		Short-Term	Owner
1.4	Continue to partner with Police Department to identify security needs and best practices for greenway trails.		Short-Term	Partner
1.5	Enhance and expand programming along the river to achieve goals from the Tar River Legacy Plan.		Short-Term	Partner & Facilitator
2	Diversify programming to accommodate changing demographics and interests.			
2.1	Continue to partner and develop special events in the Uptown area, in regional parks, and the Town Common.		Ongoing	Partner & Facilitator
2.2	Streamline program development process with standardized costs.		Short-Term	Owner
2.3	Identify partners to expand programming options including private opportunities.		Short-Term	Facilitator
2.4	Increase activation and promote greenways and natural parks with programming.		Short-Term	Owner & Facilitator
2.5	Identify additional priority sites for fitness stations in parks and along greenways.		Short-Term	Owner
2.6	Develop and standardize costs determination plan for programs, rentals, and other services provided.		Short-Term	Owner
2.7	Develop marketing strategies to share program and facility information throughout community.		Short-Term	Owner & Facilitator
2.8	Provide professional development and training opportunities for full-time and part-time staff to ensure high-quality programming and services.		Short-Term	Owner
3	Identify locations for new parks to provide equitable access.			
3.1	Identify opportunities for parkland acquisition for neighborhood and mini parks with vacant, underutilized, or City-owned land.		Short-Term	Owner
3.2	Explore updates to parkland and greenway dedication ordinances and standards to encourage private partnerships.		Medium-Term	Owner
3.3	Identify priority areas for neighborhood park development using socio-economic indicators.		Short-Term	Owner
3.4	Plan and design future neighborhood parks to meet diverse needs of surrounding neighborhoods.		Short-Term	Owner
4	Continue to update and expand existing facilities through the Facilities Improvement Plan and Capital Improvement Program.			
4.1	Add and enhance athletic field and sport court lighting to expand operational hours.		Short-Term	Owner
4.2	Identify opportunities for converting courts to multi-sport uses.		Short-Term	Owner
4.3	Develop standard restroom facility template and identify priority sites for implementation.		Medium-Term	Owner
4.4	Identify and incorporate more resilient design best practices, especially for parks in flood-prone areas.		Medium-Term	Owner & Facilitator
4.5	Identify potential priority locations for future athletic fields and courts.		Medium-Term	Owner
4.6	Secure additional staff positions and funding to meet existing needs and in alignment with phased growth.		Short-Term	Owner



Figure J1: Strategic Plan Goals and Actions

#	Goal	Objective	Timeframe (Initiation)	Role of R&P Dept
5	Identify funding and grants to support maintenance and improvements to all facilities.			
5.1	Explore alternative funding sources: grants, bonds, fee in lieu, etc.		Short-Term	Owner & Facilitator
5.2	Utilize new master plan to seek grant opportunities more competitively.		Short-Term	Owner & Facilitator
5.3	Re-evaluate user fees/charges for programming and services with mission and equity in mind.		Short-Term	Owner & Facilitator
5.4	Explore a change in existing policy to directly reinvest additional revenues above a set threshold into contributing parks .		Short-Term	Owner & Facilitator
5.5	Explore development of a parkland dedication ordinance and/or fee in lieu development regulations in coordination with Unified Development Ordinance (UDO) update.		Short-Term	Partner & Facilitator
5.6	Explore development of a City trail fund for annual capital and program costs for greenways network expansion and lifecycle reinvestment.		Short-Term	Facilitator
5.7	Enhance and continue to build partnerships with community organizations.		Ongoing	Facilitator



River Birch Tennis Center at Evans Park



Appendix





Kimley»Horn

CITY STAFF ENGAGEMENT NOTES & SUMMARY

City of Greenville

Recreation and Parks Master Plan

Vision and Implementation Workshop

Workshop Dates: January 11, 2023 11 am-2:30 pm

See Sign-In Sheet

Consultant Staff:

Attendees: KH: Nick Kuhn, Matt Gross, Halley Bartlett
Ballard*King: Darin Barr

A Vision and Implementation Workshop was held with City staff at the Jaycee Park Facility on January 11, 2023. The workshop included a presentation and two interactive exercises to collect Staff input. The presentation included an outline of guiding documents, demographic trends, park evaluations, level of service, inventory of available programs, and the initial statistical survey results. Following the presentation, attendees were divided into groups of 5-8 people to participate in two exercises.

Exercise 1: SWOT The first activity was to identify Strengths, Weaknesses, Opportunities, and Threats (SWOT) of the existing City of Greenville Parks System over the course of 40 minutes.

Exercise 2: Goals and Objectives For each identified Sub-System, Participants were prompted to define 1-2 long-term goals and for each goal define 1-2 objectives or measurements such as projects, potential partners, and/or changes.

The following notes document the written input of participants participating in exercises. Written words that were emphasized (underlined, circled, or with an explanation point) have also been **emphasized** within the format of these notes.

Kimley»Horn

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Vision and Implementation Workshop Notes

GROUP 1

Exercise 1: SWOT

Strengths

- **Variety of Programs**
- **Green Spaces**
- **Knowledge and passion of staff**
- User friendly prices (city residents)
- Activating Wildwood Park
- Diversity of programs
- Expansion of outreach and events
- Community partnerships

Weaknesses

- **Budget and staffing levels**
- Facility space (indoor)
- Outdoor lighting
- Dedicated space (SPOP [special populations] & seniors)
- **Marketing**
- Outdoor restrooms (port-a-johns & stalls)
- Parking
- **Website design (navigation)**

Opportunities

- **Marketing**
- Outdoor pickleball courts
- Community Input
- **Greenway/Trail Expansion (Connectivity)**
- Community partnerships (to grow) ex. Garden
- **Community outreach**
- **Staff trainings & development**
- **Entertainment venue**

Threats

- **Staff transitions (changes/retirement)**
- **Inflation**
- Environmental threats (floods)
- Pandemic
- **Budget restrictions**
- Quality of part-time staff
- Hiring process (length)



Exercise 2: Goals and Objectives

Waterfront, Natural, & Passive Parks

- Goal: Increase Access
 - Building amenities
 - Acquiring land
 - Improve boat ramp at Town Common

Community/Neighborhood/Pocket Parks

- Goal: Identify where new parks are needed
 - Work with private developers who are developing new areas/neighborhoods
 - Look at current locations of parks and distances between

Athletics Facilities (indoor/outdoor)

- Goal: Increase usable space
 - Add lights
 - Artificial turf fields

Greenways/Trails

- Goal: Expand and improve access
 - Connect current greenways and trails
 - Connect to parks
 - Increase programming
 - Activate County Plan in City Limits

Programs

- Goal: Develop department cost recovery model
 - Standardize pricing in all departments
 - Benchmark with like-sized communities
- Goal: Improve marketing
 - Implement marketing strategies
 - Streamline a process

GROUP 2**Exercise 1: SWOT****Strengths**

- Amazing staff
- **Maintained well**
- Events
- Programs
- Unique: River Park North, Town Common, Wildwood
- Accessibility to water
- Playgrounds
- Shelters
- **Some restroom facilities**
- Pocket parks serve communities, accessibility, street parking
- Signage
- Locations of pocket parks
- Soccer, baseball, football, softball, volleyball, pickleball
- **Pool location**
- Drop-in factor
- Well maintained length of greenways
- Number of miles of greenway
- Greenway access points
- Greenway access to other amenities/parks
- Year-round programs
- Program diversity
- Indoor/outdoor programs
- Cost variance of programs
- Inclusive programs

Weaknesses

- **Location of programs**
- Attendance/Staff – Volunteer and funding
- Program marketing
- Greenway connection to places
- **Lighting**
- Greenway flooding
- **Parking**
- Security camera
- **Lacking funds - other funding sources**
- **Restrooms**
- Staff
- Instructions
- Outdated equipment



- Building upgrades

Opportunities

- Programs at areas without facilities to serve all of Greenville
- Walking trails – connectors
- Provide more services
- **Transportation**
- More partnerships/collaborations
- **Events to showcase property**
- **Marketing**

Threats

- **Competitions – private/communities/public**
- **Staff turnover**
- EPA regulations
- Lacking funding/strategies
- Access to parks by walking
- Needs of customers changing – age groups
- Childcare
- **Part-time staff funding and limited hours**
- Full time staff – no overtime, cannot double-dip

Exercise 2: Goals and Objectives

Waterfront, Natural, & Passive Parks

Goal: Better utilize the waterfront

- Improve access to the water
- Provide program
- Partnerships with other organizations
- Foster tourism

Community/Neighborhood/Pocket Parks

Goal: Increase network accessibility

- Add parking
- Add pathways
- Change ordinance and development requirements

Athletics Facilities (indoor/outdoor)

Goal: Enhance participants' experience

- Add lighting to fields
- Improve outdated equipment
- Staffing

Greenways/Trails

Goal: City-wide greenway system

- Increase connection
 - Town Common Park to River Park North
 - South Greenville Phase 2 and Connection to Wildwood
 - East Side Park to greenway system
- More access points
- Parking
- Reduce the need to drive
- Funding

Programs

Goal: Increase hours of operations and new programs

- Funding/budget
- Increase staff
- Variety of programs to meet demographics

GROUP 3

Exercise 1: SWOT

Strengths

- Maintain parks and facilities well
- Great leadership
- **Work well together; great teamwork**
- Air condition facilities
- Greenway access
- **Community partnerships**
 - Little Leagues, LLSWS, Babe Ruth, Rotary Club
- Growing special events
- Inclusive programs
- Inclusive staff

Weaknesses

- Pool access
- Water access
- **Outdoor courts: pickleball, basketball**
- River access
- Facilities north of the river
- Lack of neighborhood parks
- **Lack of lighted outdoor fields**
- Maintenance staff for facilities and parks
- Security lights on greenway
- GAFC parking
- Paved parking lots



- More Park Rangers
- Lack of part-time staff
- Funding for capital projects
- **Bureaucratic processes**

Opportunities

- North of the river population
- **Neighborhood parks citywide**
- South Tar River Greenway connectivity
- Outreach programs
- **Entertainment venues/parking/outdoor**
- **Girls/women focused programming**
- Baseball tournaments at Thomas Foreman Park
- Upgrade older facilities
- **Build storage spaces**

Threats

- Government/environment policies
- Bureaucratic processes
- Funding for staff and capital projects
- Staff turnover
- Market saturation
- Changing demographics
- Lack of staff
- Private sector parity
- Volatility of the economy
- Losing institutional knowledge

Exercise 2: Goals and Objectives

Waterfront, Natural, & Passive Parks

Goal: Connecting Greenway Trails

- Funding with grants and partnerships
- Prioritizing

Community/Neighborhood/Pocket Parks

Goal: Parks distributed throughout city

- Inclusive park in each new neighborhood

Goal: Increase safe access to parks

- Include sidewalks and restrooms

Athletics Facilities (indoor/outdoor)

Goal: More outdoor lighted fields; multipurpose fields

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- Grants, funding
- Goal: Sports Complex
- Grants funding, location

Greenways/Trails

- Goal: See waterfront/natural/passive parks
- Goal: Expansion and connection of trails
 - Add walking trails to parks
 - Prioritize
 - Funding

Programs

- Goal: Better marketing
 - Reach diverse population
 - Media advertising
- Goal: Increase instructor pay
 - Funding
- Goal: Increase programming space
 - More fields
 - Funding
 - Gyms

GROUP 4

Exercise 1: SWOT

Strengths

- Staff
- **Diverse programs**
- River access
- Accessibility
- Youth programs
- Efficient park maintenance
- **Big Events ex. LLSWS**
- Town Common
- **Community Partnerships**

Weaknesses

- More permanent pickleball courts
- Outdoor lights
- **Sense of safety – blue light**
- Geographical location of parks
- **Marketing strategy**
- Rectrac – Website
- **Financial Support**
- Lack of facilities



Opportunities

- **Creation of neighborhood parks**
- Language: cultural barriers
- **Transportation and access to parks**
- **Drop-in recreation other than basketball**
- **Camps and programs for teenagers**
- STEM Center
- Museums
- New events at Wildwood
- Ticketed concerts
- Park conversions to different uses
- Tap into ECU student programs

Threats

- Economy, money, staffing
- Private sector competitors
- Weather
- Busy schedules
- Cultural and generational shifts

Exercise 2: Goals and Objectives

Waterfront, Natural, & Passive Parks

Goal: Improve access to river

- Provide more opportunities for fishing and boating
- More nature trails
- Annual City trail budget

Community/Neighborhood/Pocket Parks

Goal: Adding neighborhood parks in areas with no parks

- Mobile wellness and recreation
- Development ordinance amendment
- Diverse parks in neighborhoods
- Assessment of needs of neighborhoods

Athletics Facilities (indoor/outdoor)

Goal: More pickleball courts

- Converting courts 1-3 at Elm Street Park

Goal: Indoor/Outdoor Facility improvements

- Field improvements
- Lighting addition and enhancements
- Renovations of batting cages at Sports Connection

Greenways/Trails

Goal: Enhanced Trail Access

Kimley»Horn

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- Construct parking lots at Evans Street access
- Extend greenways to H. Boyd Lee Park

Goal: Greenway Amenities

- Addition of water fountains/bicycle repair stations
- Addition of Emergency blue call boxes

Programs

Goal: Bilingual programming

- Marketing Materials

Goal: More drop-in / open-play programs

- Develop appropriate fee schedule



Summary

The summaries below consolidate themes recorded during the January Vision and Implementation Workshop with City staff.

Exercise 1 summarizes the top five (5) topics documented through participant notes. The Exercise 2 summary includes a list of the top fifteen (15) goals identified by participants. Each list is in descending order by frequency of mention in participant developed notes.

EXERCISE 1: SWOT SUMMARY

Strengths

- Diversity, and accessibility of available programs and events
- Recreation and Parks Staff
- Community engagement and partnerships
- Greenway network
- Large Parks: Wildwood, River Park North, Town Commons

Weaknesses

- Marketing of Programs/Website
- Funding to support staff and facilities
- Lighting of facilities to extend hours
- Security and safety within parks: Park Rangers, Blue Lights, Greenway lighting
- Parking at existing facilities

Opportunities

- Programming in response to community input and demographics (STEM, Teen Center, Museums, Gardening)
- Ticketed Events/Entertainment Venue
- Distribution and number of Neighborhood Parks
- Community Partnerships (Bi-lingual programs, ECU)
- Expansion of walking networks and greenway system connectivity

Threats

- Staff: number of part-time staff, turn over, retirement
- Economic and Budgetary limits
- Cultural and demographic changes
- Competition from private entities and other community programs
- Flooding and environmental regulation

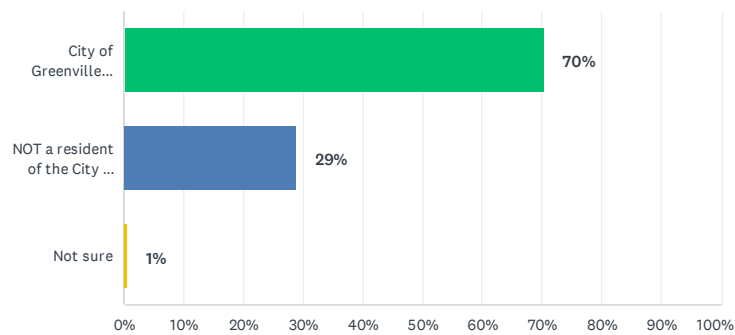
EXERCISE 2: GOALS SUMMARY

1. Identify funding and grants to support maintenance and improvement of all facilities. (8)
2. Increase hours and accessibility to existing parks by expanding parking and field lighting. (7)
3. Develop ordinance and development requirements to establish new neighborhood parks. (6)
4. Complete a city-wide greenway and natural trail network connecting park facilities. (5)
5. Adapt facilities, programming, and community partnerships to accommodate changing demographics and recreational interests. (5)
6. Update existing facilities and equipment. (5)
7. Grow and maintain a complete team of full and part time staff. (4)
8. Increase access to and programing with the waterfront (3)
9. Develop marketing strategies to share program and facility information (2)
10. Develop a standardized cost determination for programs (2)

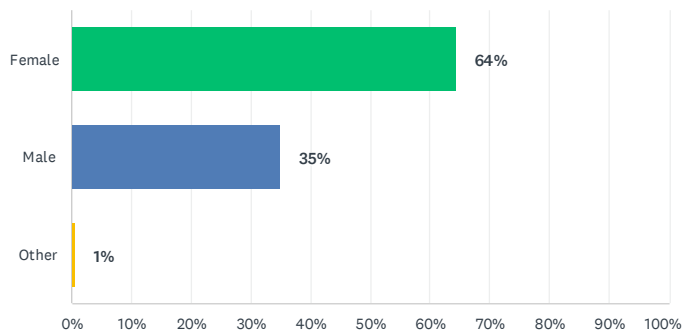


Online Survey Results

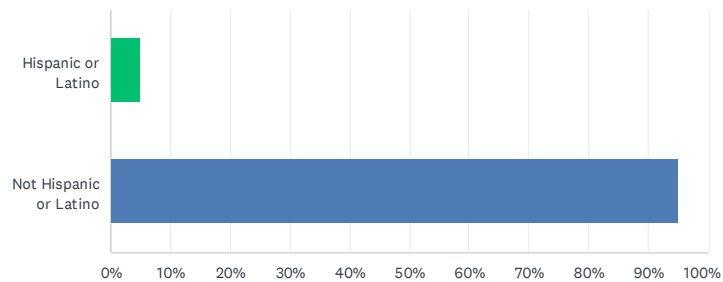
Q1 Which one of the following options best describes you?



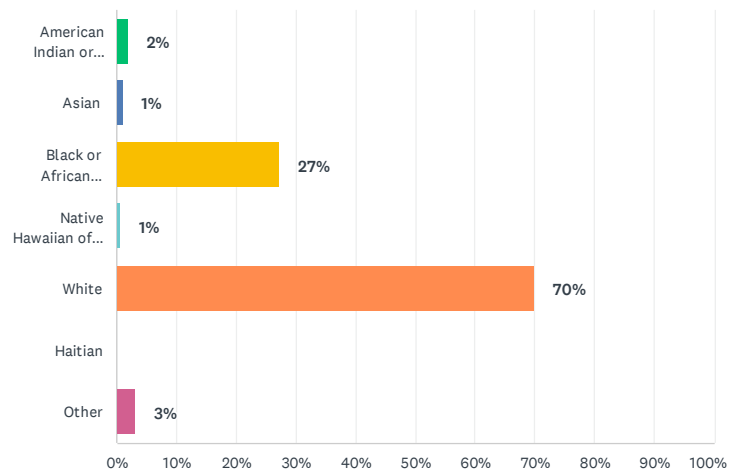
Q2 What is your gender?



Q3 Which ONE of the following best describes your ethnicity?

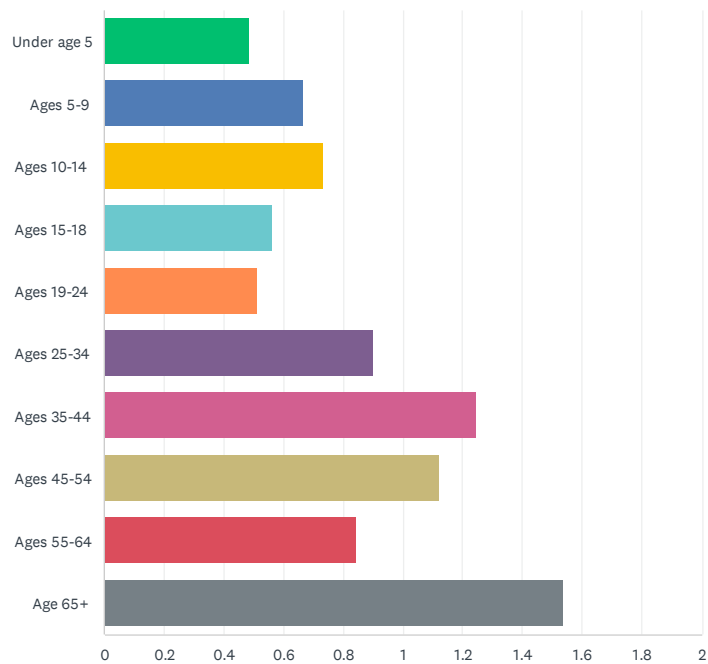


Q4 Which of the following best describes you? (check all that apply)



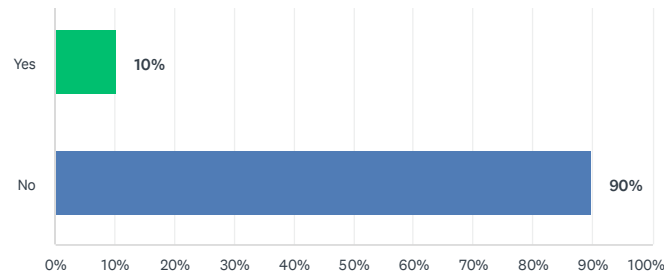
Q5 Counting yourself, how many people in your household are...

Answered: 303 Skipped: 0

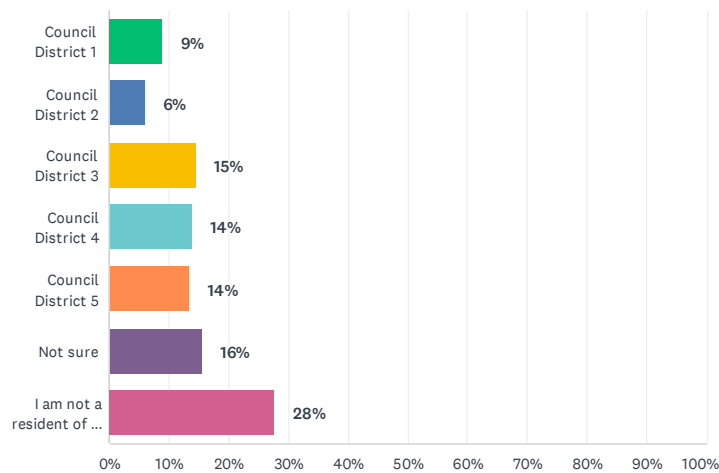




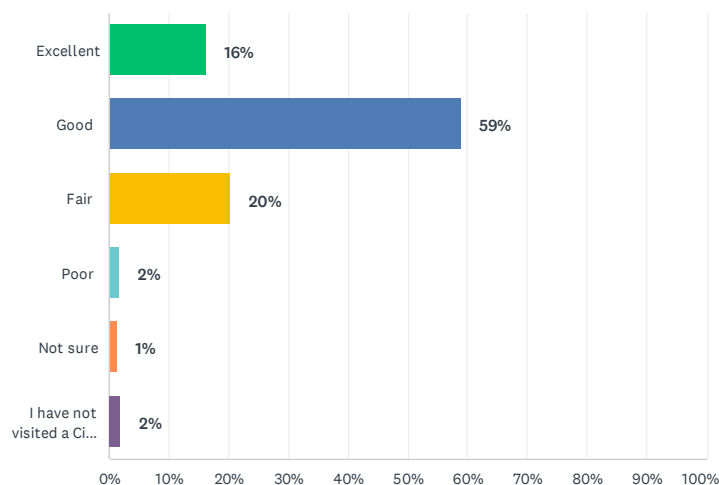
Q6 Are any members of your household disabled as a consequence of an impairment that may be physical, cognitive, mental, sensory, emotional, developmental, or some combination of these?



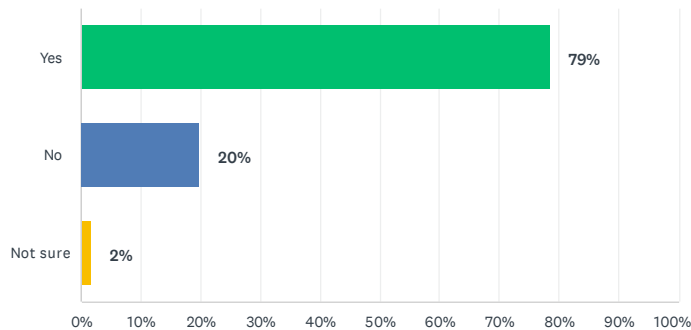
Q7 Which City Council District do you live in? (Reference map below as needed)



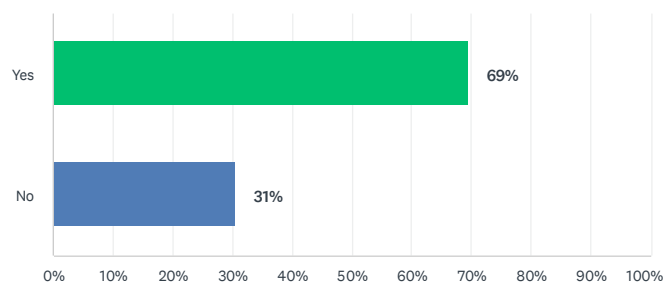
Q8 How would you rate the overall quality of Greenville parks and recreation amenities you have visited in the last 12 months?



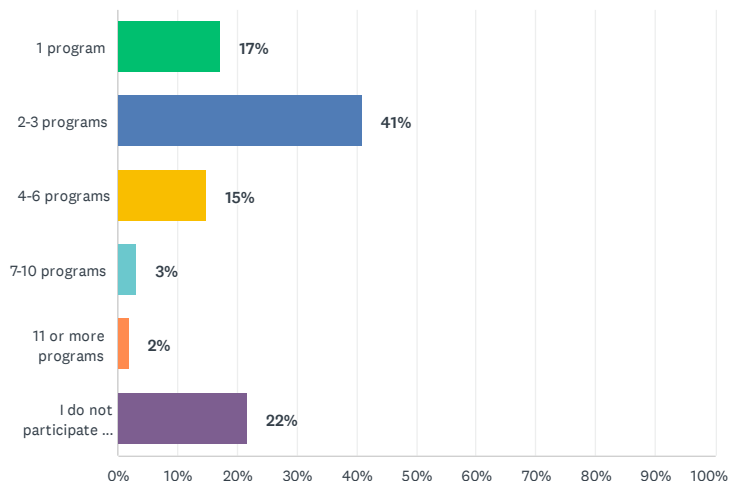
Q9 Do you visit parks or participate in recreation programs offered by providers other than the City of Greenville?



Q10 Have you or other members of your household participated in any programs (sports, recreation, etc.) or events offered by the City of Greenville during the last 12 months?

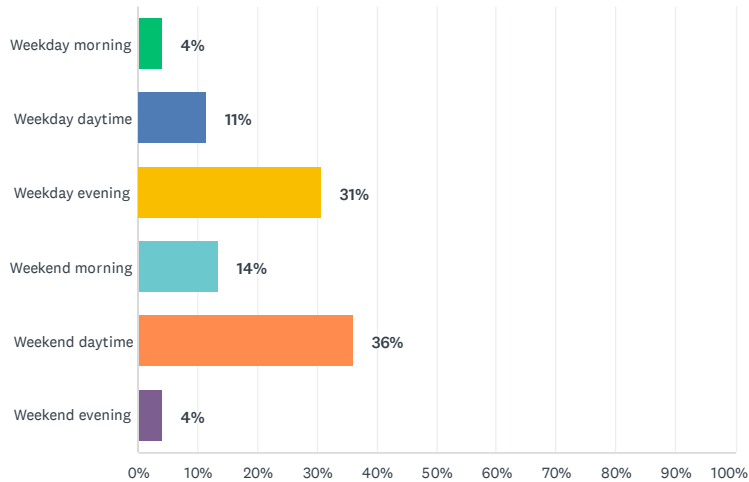


Q11 Approximately how many different recreation programs or events offered by the City of Greenville have you or members of your household participated in over the past 12 months?

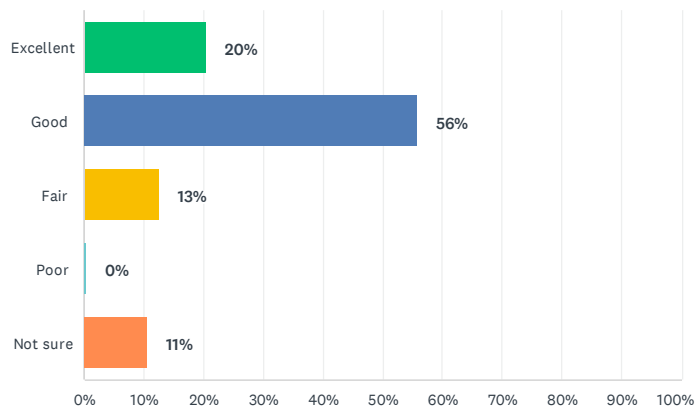




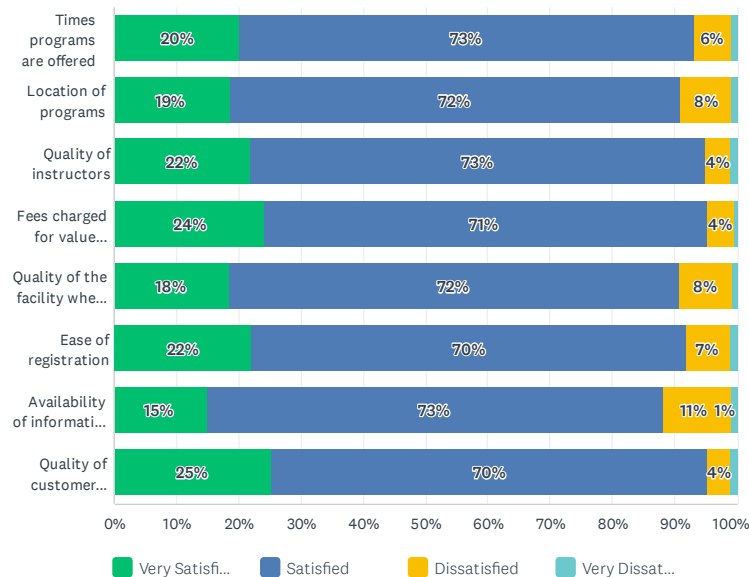
Q12 What days and times do you most frequently participate in programs or visit parks?



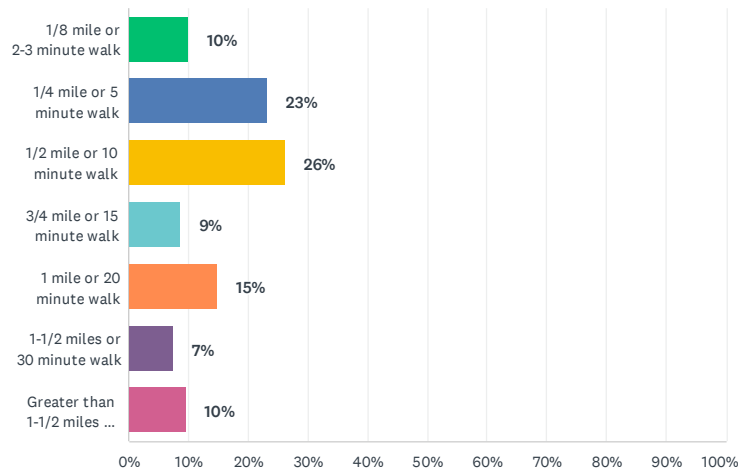
Q13 Overall, how would you rate the quality of the program(s) or event(s) that you and/or members of your household participated in over the last 12 months?



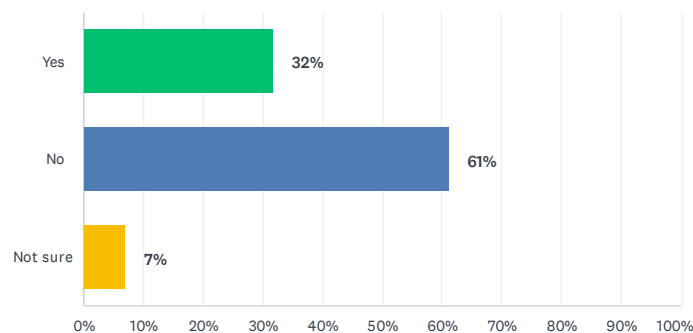
Q14 Rate your level of satisfaction with the following program services provided by the City of Greenville Recreation and Parks Department.



Q15 How would you define 'walking distance?'

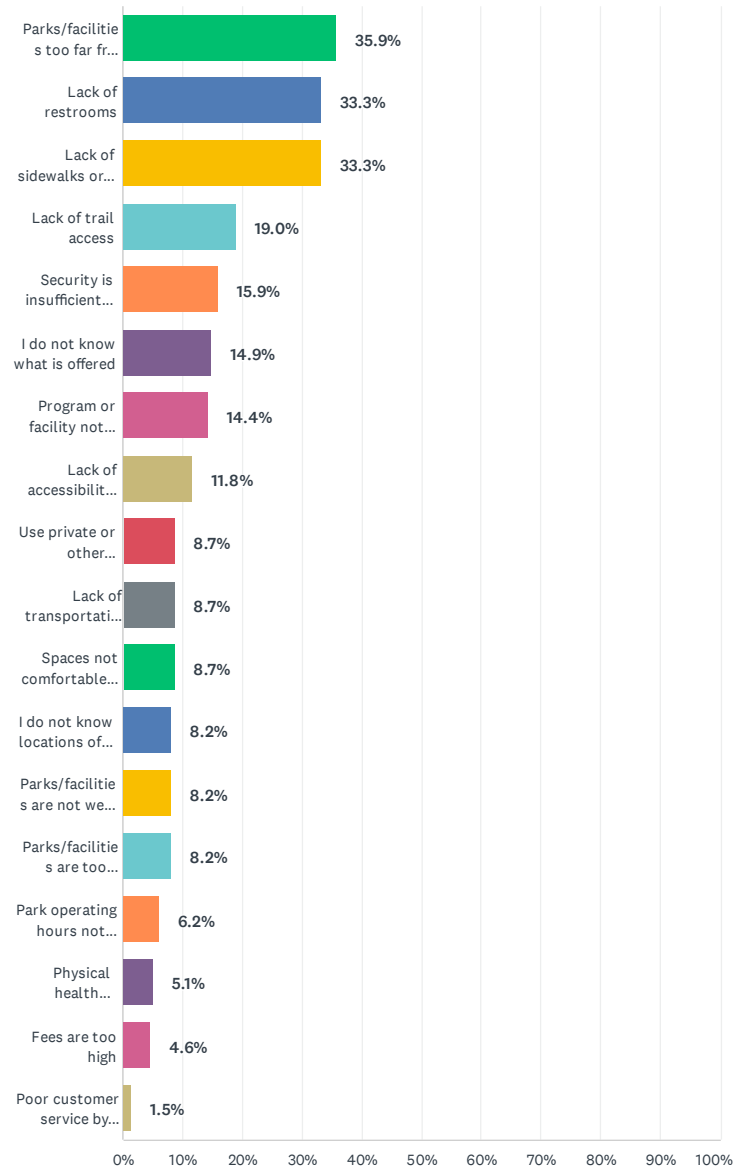


Q16 Do you feel there are sufficient parks and green space areas within walking distance of your residence?





Q17 Select ALL the reasons that prevent you or other members of your household from visiting parks or participating in recreation programs and events in the City of Greenville more often.

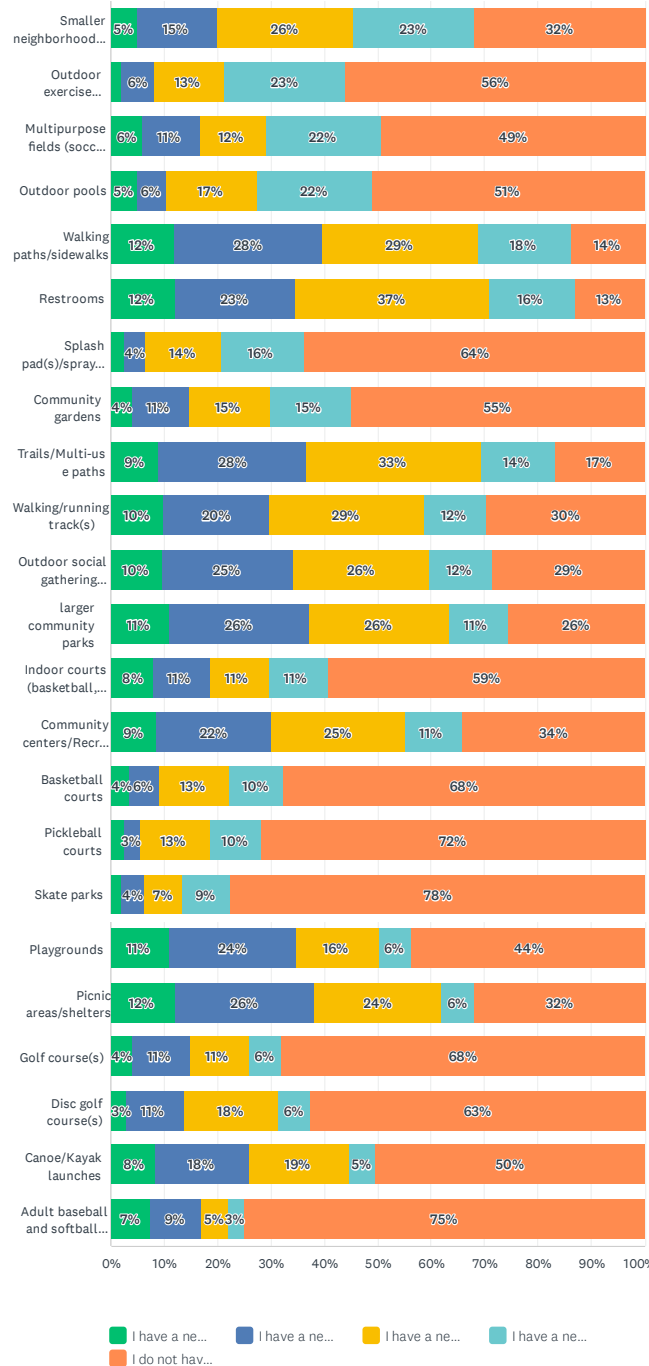


Q17 Select ALL the reasons that prevent you or other members of your household from visiting parks or participating in recreation programs and events in the City of Greenville more often.

#	OTHER (PLEASE SPECIFY)	DATE
1	No lighting after 5 this time of year	11/6/2022 5:53 PM
2	No programs for children at Drew Center	11/6/2022 4:55 AM
3	I think people should be considerate of their dogs and that some people are not comfortable with them when trying to walk in the park .	11/4/2022 9:38 AM
4	I love Wildwood but one of the walking areas has been overgrown and isn't passable	11/4/2022 3:01 AM
5	Program times aren't always convenient with work schedule	11/2/2022 7:16 PM
6	No shade	11/2/2022 6:04 PM
7	Not many programs offered at location closest to me	10/26/2022 10:01 AM
8	Better rates for non-profit or programs that work with the youth	10/25/2022 7:55 PM
9	I do not live in Greenville	10/25/2022 4:50 PM
10	For the average person, it would be incredibly scary to try to get to Wildwood or River Park north by bike! It's sad that people have to drive to recreate ... I wish people could be less car-dependent. It would be fabulous to have bridges over the Tar connecting the three parks so that people could walk or bike between them (or at least bike lanes installed on the roads that lead to them).	10/14/2022 7:25 PM
11	My partner works long hours and cannot go to parks with me in the evenings when I go there to walk with friends.	10/13/2022 5:14 PM
12	We are in need of a lacrosse space and turf fields	10/9/2022 9:56 AM
13	Program fills up before I can sign up	10/7/2022 11:09 AM
14	Don't live close enough	10/6/2022 7:45 PM
15	Lacrosse is way in the back of fields at Bradford	10/5/2022 8:15 PM
16	Poor quality of rental kayaks and pedal boats are always blocking the ramp at Town Common, that might not be City of Greenville-run but since they camp out there it makes it seem that way.	10/4/2022 8:34 AM
17	No respect for lacrosse. We need our own fields with lights	10/1/2022 10:35 PM
18	There is no specific space for lacrosse, and this is a fast growing sport nationally and Greenville should better support this growth.	10/1/2022 10:21 PM
19	Personal time constraints	10/1/2022 3:49 PM
20	The areas that offer the sports are over crowded and under managed. Limbs and vines are over grown and need to be cleared. Up to 8-12ft	9/29/2022 8:25 AM
21	The closest parks to me have either very short limited trail access or the trail seems to continue to eternity. A nice 2-3 mi loop would be cool	9/28/2022 6:26 PM



Q18 Indicate if you or members of your household have a need for the following recreation FACILITY and how much of your need is currently being met either by the City of Greenville or other recreation and park providers.

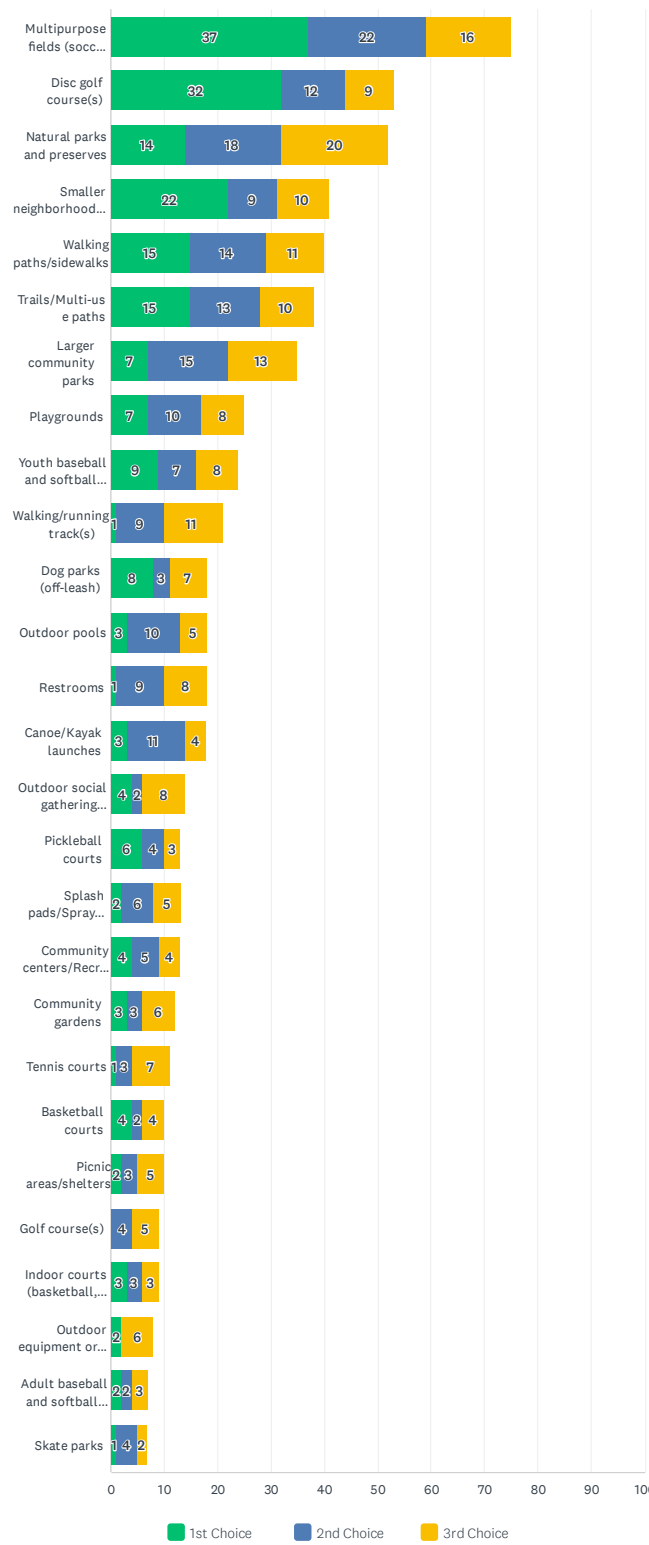


Q18 Indicate if you or members of your household have a need for the following recreation FACILITY and how much of your need is currently being met either by the City of Greenville or other recreation and park providers.

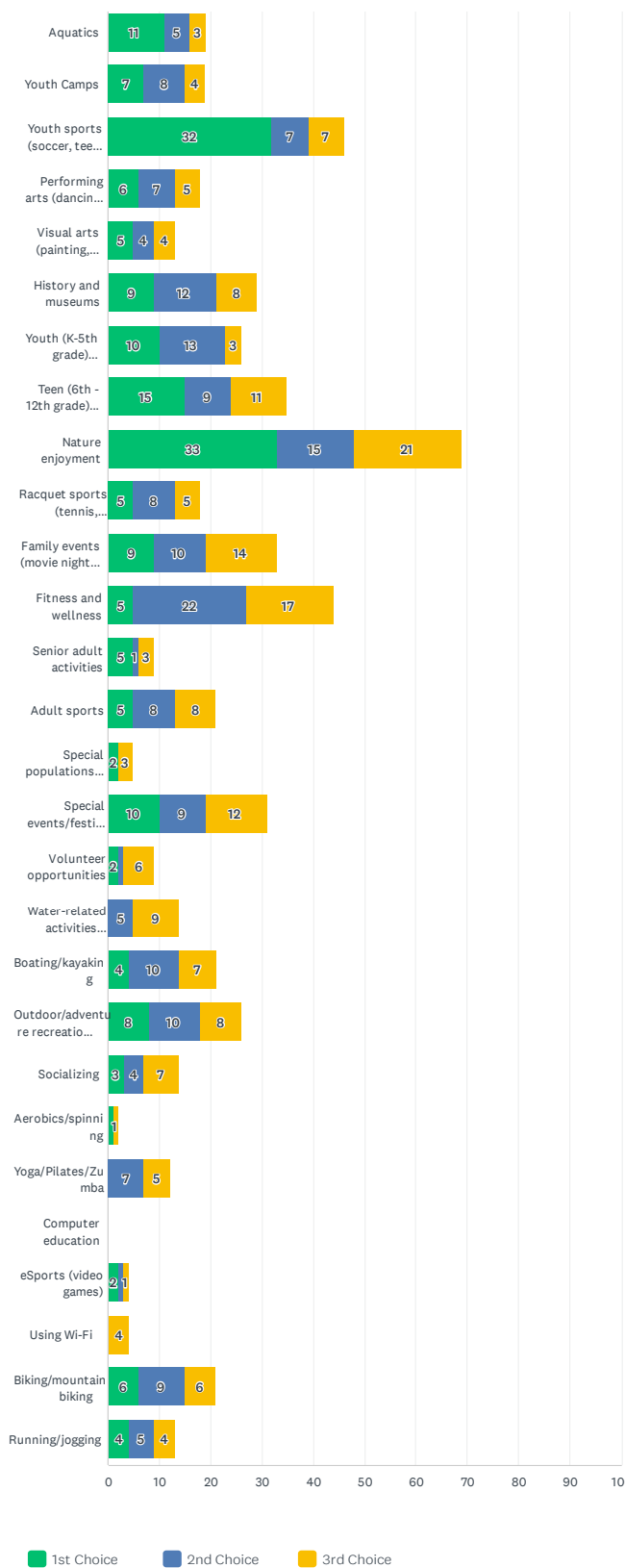
#	OTHER (PLEASE SPECIFY)	DATE
1	No lighting at parks this time of year	11/6/2022 5:56 PM
2	I wish the greenway extended to the River Hills neighborhood; I would bike to the University for work.	11/4/2022 12:59 PM
3	Need more hiking only trails that are longer distance - 4+ miles	11/2/2022 8:22 PM
4	Off leash dog park is often dirty with unattended or aggressive dogs. I do not feel safe bringing my dogs here.	10/27/2022 10:27 AM
5	Indoor Pools	10/26/2022 5:38 PM
6	Spray parks are in a rough part of the neighborhood	10/21/2022 6:27 PM
7	would love to see MORE greenway trails	10/15/2022 6:48 PM
8	Greenways that link more neighborhoods together, as well as leading to ECU and downtown Greenville.	10/13/2022 5:19 PM
9	Greenville needs a multi purpose turf athletic facility	10/9/2022 9:33 AM
10	indoor soccer facility	10/7/2022 9:04 AM
11	We really need a turf lacrosse field	10/6/2022 11:12 AM
12	LACROSSE FIELD!!!	10/6/2022 9:20 AM
13	We need lacrosse fields and/or multipurpose fields including turf to grow the sport of lacrosse	10/5/2022 8:37 PM
14	Desperate need for a lacrosse fiels	10/5/2022 8:18 PM
15	Lacrosse and football need major improvement	10/5/2022 8:17 PM
16	Lacrosse fields!!! Please!!!!	10/5/2022 8:10 PM
17	Lacrosse fields	10/2/2022 7:07 AM
18	The lacrosse program is growing leaps and bounds and there is a tremendous need for more field availability with lights and a need for an indoor facility for turf sports (ie lacrosse, soccer etc).	10/1/2022 10:45 PM
19	The lacrosse space is technically soccer space...	10/1/2022 10:24 PM
20	What golf courses???	9/29/2022 11:47 AM
21	Need more water fountains. Maintenance on the disc golf courses are sub par. Vines and limbs have overgrown and spaces are crowded	9/29/2022 8:30 AM



Q19 Which THREE recreation facilities listed are most important to you or members of your household?

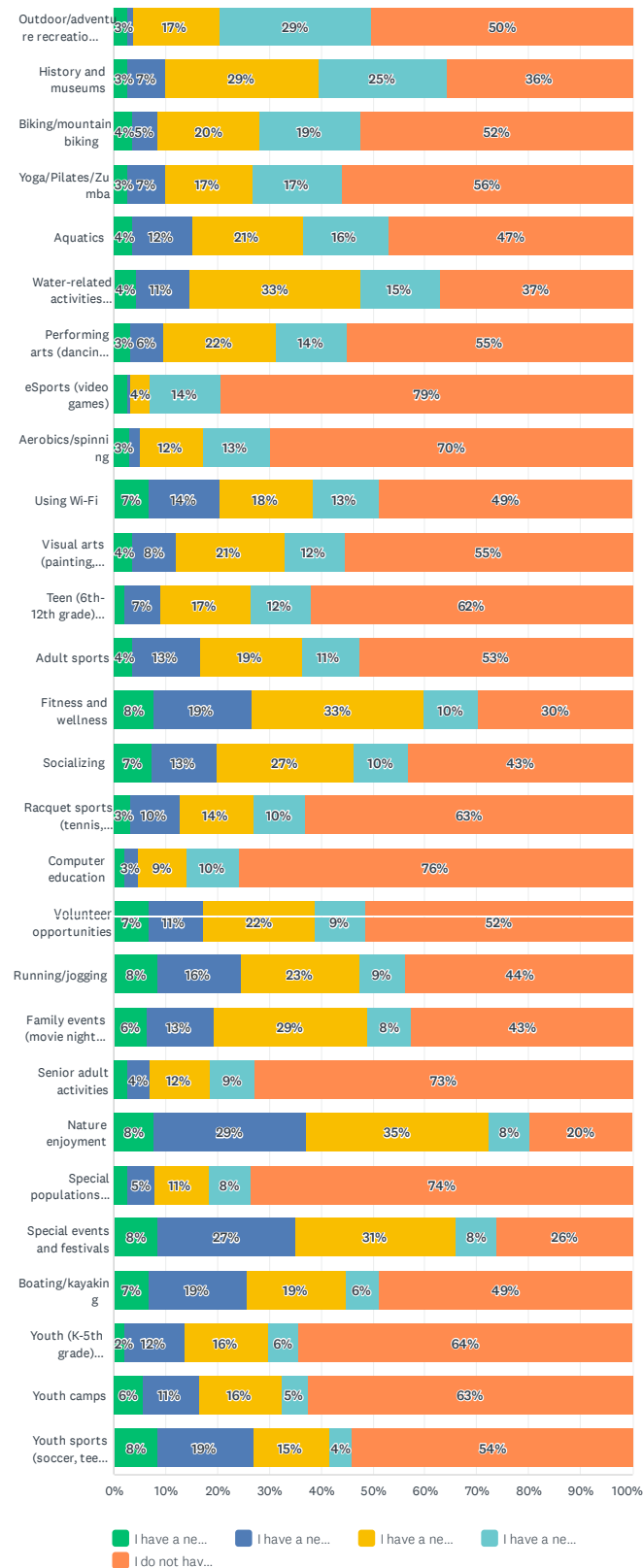


Q21 Which THREE activities listed are most important to you or members of your household?





Q20 Indicate if you or members of your household have a need for the following ACTIVITIES and how much of your need is currently being met either by the City of Greenville or other recreation and parks providers.

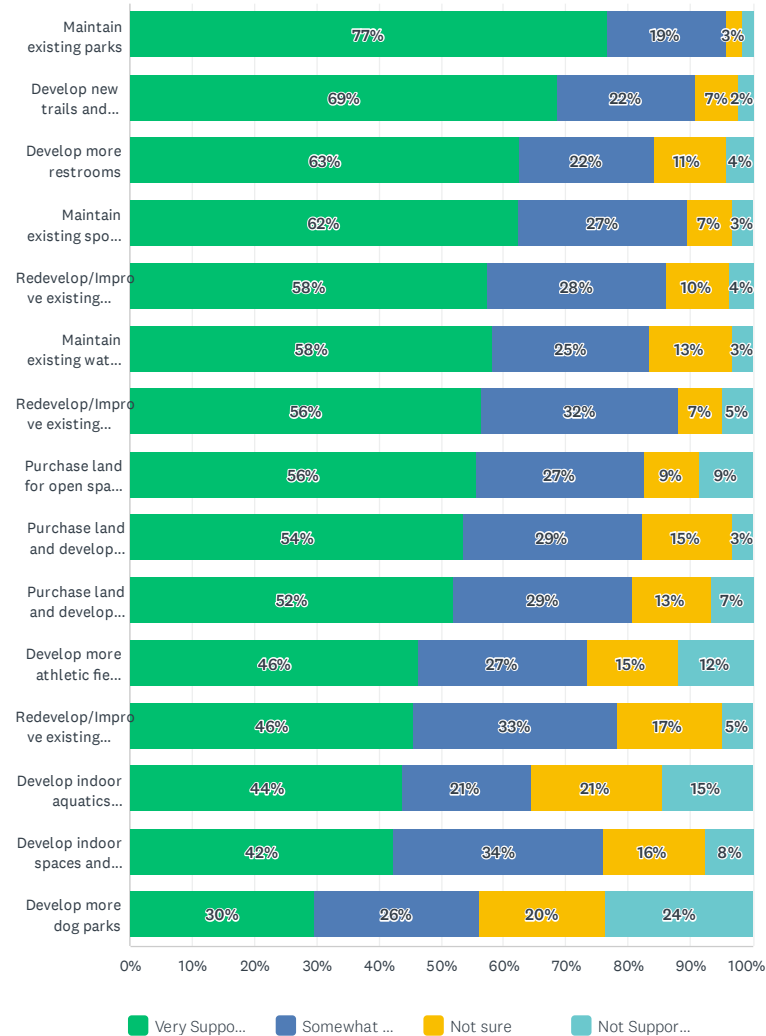


Q20 Indicate if you or members of your household have a need for the following ACTIVITIES and how much of your need is currently being met either by the City of Greenville or other recreation and parks providers.

#	OTHER (PLEASE SPECIFY)	DATE
1	This city lacks bike trails. You can't get to downtown from outlying neighborhoods without risking your life. It seriously lowers the quality of life in Greenville.	11/4/2022 1:02 PM
2	Greenway	11/2/2022 4:48 PM
3	Bike access and riding trails	10/25/2022 8:01 PM
4	It would be helpful to have more small recreational facilities, closer to neighborhoods, that offer indoor activities for a fee, such as yoga, pilates, or aerobics/dance classes.	10/13/2022 5:22 PM
5	I wish there were activities for overweight adults only so they don't feel intimidated but fitter people.	10/7/2022 1:23 PM
6	Need more Adult arts and crafts class or events	10/7/2022 11:19 AM
7	Disc Golf	9/28/2022 7:32 PM
8	Disc Golf	9/28/2022 4:30 PM



Q22 The following are actions that the City of Greenville could take to improve the Recreation and Parks system. Indicate your level of support for each action.

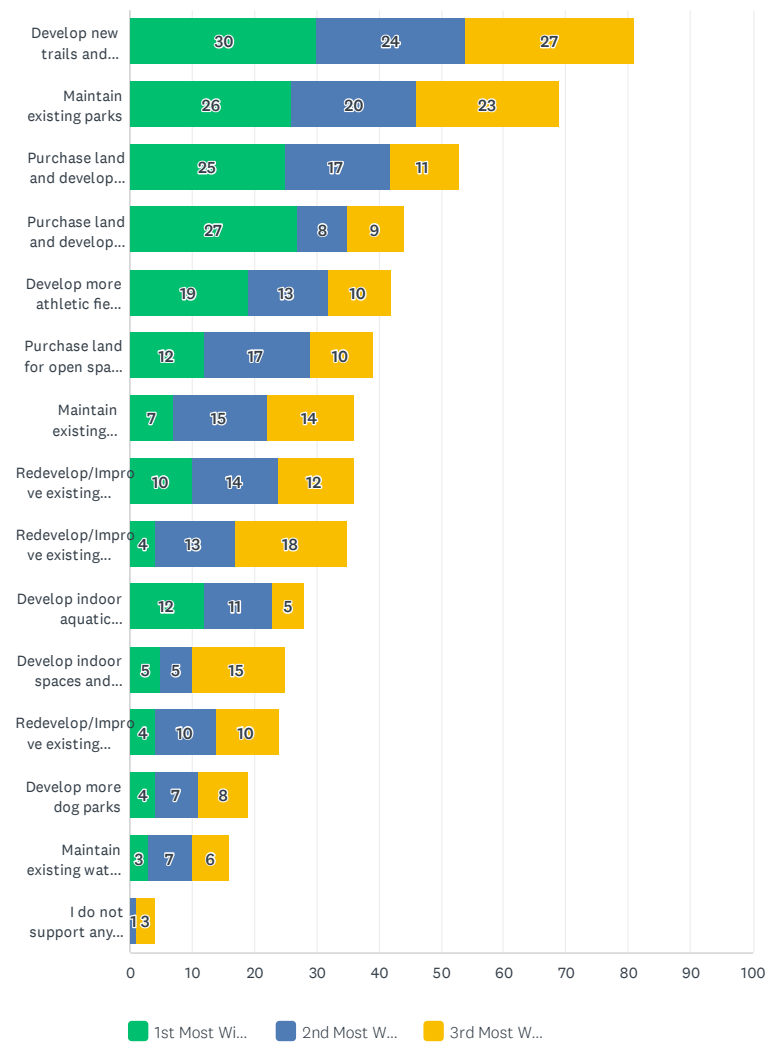


Q22 The following are actions that the City of Greenville could take to improve the Recreation and Parks system. Indicate your level of support for each action.

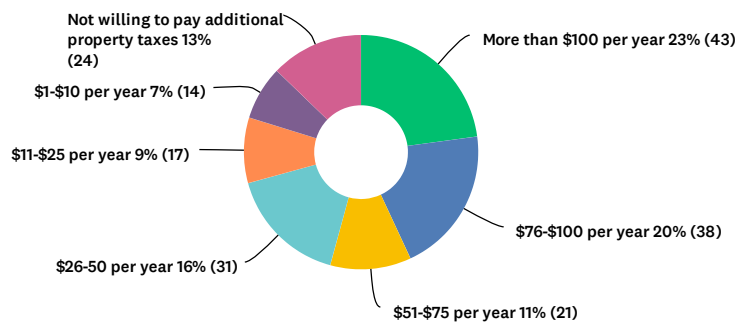
#	OTHER (PLEASE SPECIFY)	DATE
1	One closer to center of town where people live	11/6/2022 5:21 AM
2	Please put in bike trails and connect the greenway to outlying neighborhoods. I would like to bike to work.	11/4/2022 1:05 PM
3	Greenway	11/2/2022 4:51 PM
4	Please enforce owners picking up after their pets if more dog parks are developed.	10/25/2022 8:28 PM
5	Build a turf athletic complex with lights	10/9/2022 9:40 AM
6	We need turf soccer and lacrosse fields!!!!!!	10/6/2022 8:12 PM
7	Use what we already own (east side property)	10/6/2022 11:36 AM
8	Lacrosse fields and football turf	10/5/2022 8:22 PM
9	Lacrosse fields! Please!	10/5/2022 8:14 PM
10	Add a space specifically for lacrosse!	10/1/2022 10:29 PM
11	More golf. (Disc and ball golf)	9/29/2022 11:54 AM
12	Maintain existing Disc Golf courses and add new courses	9/28/2022 7:37 PM
13	Maintain and grow disc golf courses in Greenville	9/28/2022 6:31 PM
14	West Meadowbrook park we can't even use the restrooms	9/28/2022 3:21 PM
15	More Disc Golf Courses.	9/28/2022 2:36 PM



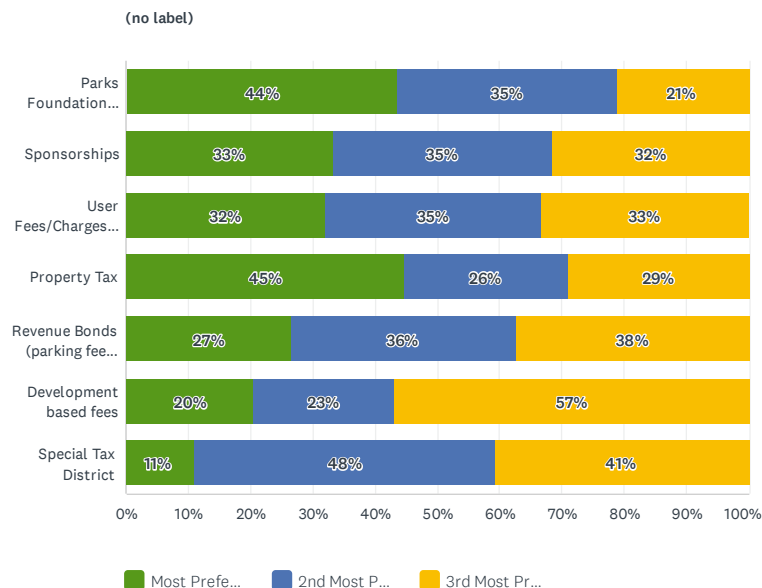
Q23 Which THREE actions would you be most willing to fund with your tax dollars?



Q24 A percentage of the City's budget is used for the operations, maintenance, and improvement of parks, recreation facilities/programs, and trails. The quality of maintaining, operating, improving, and securing parks, recreation facilities/programs, and trails is largely impacted by the amount of property taxes allocated for these. From the following list, please check the additional amount you would be willing to pay in taxes to fund the actions you indicated as most important to your household in Question #23.



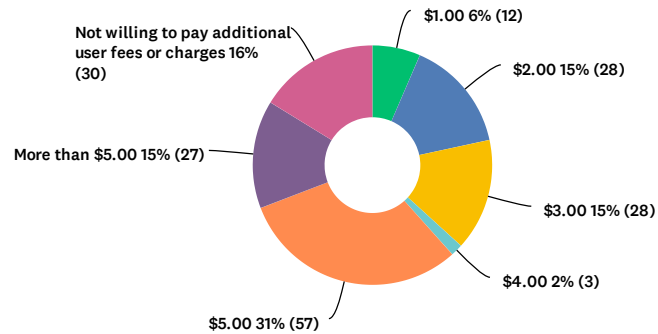
Q25 Funding for parks, recreation facilities/programs, school parks, and trails may be secured from a variety of sources. Which three of the following choices of funding sources do you most prefer?





Q26 Funding collected through user fees and charges helps the City to provide high-quality programs and services through lower property taxes. Please check the additional amount in user fees or charges you would be willing to pay for your favorite Recreation and Parks activity or program which you or members of your household participate. (additional amounts are per event or program for each person)

Answered: 185 Skipped: 118

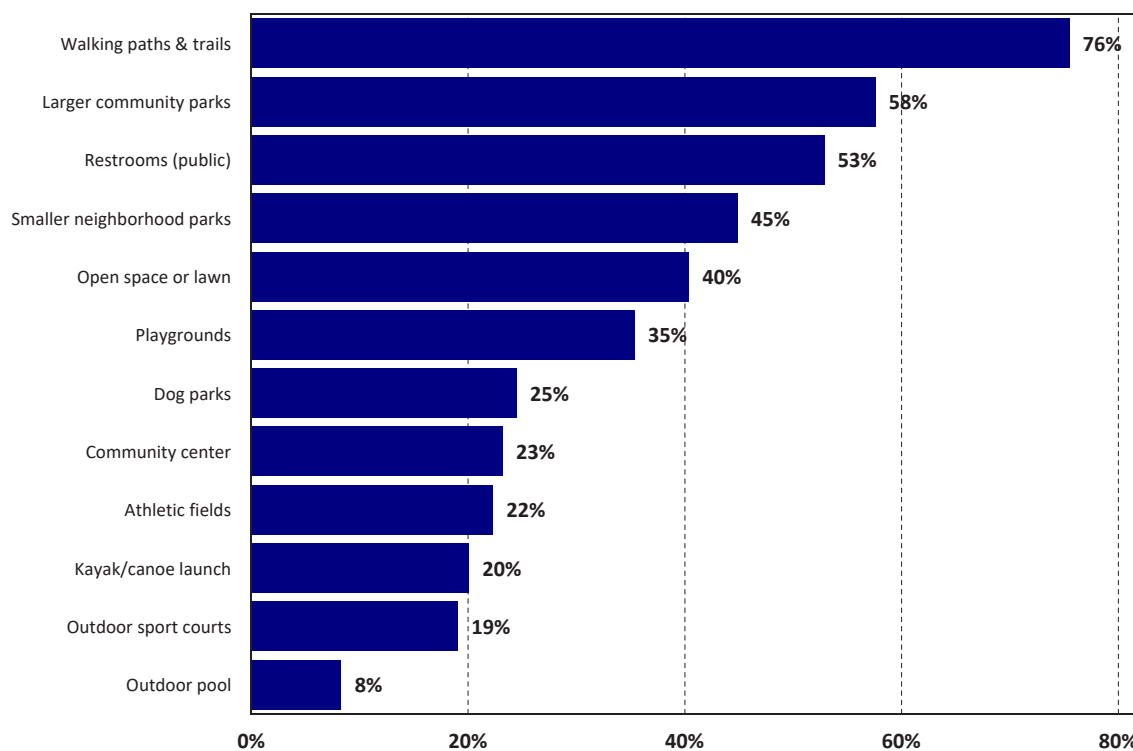




Statistical Survey Results

Q1. Parks and Recreation Amenities Used by Respondents

by percentage of respondents

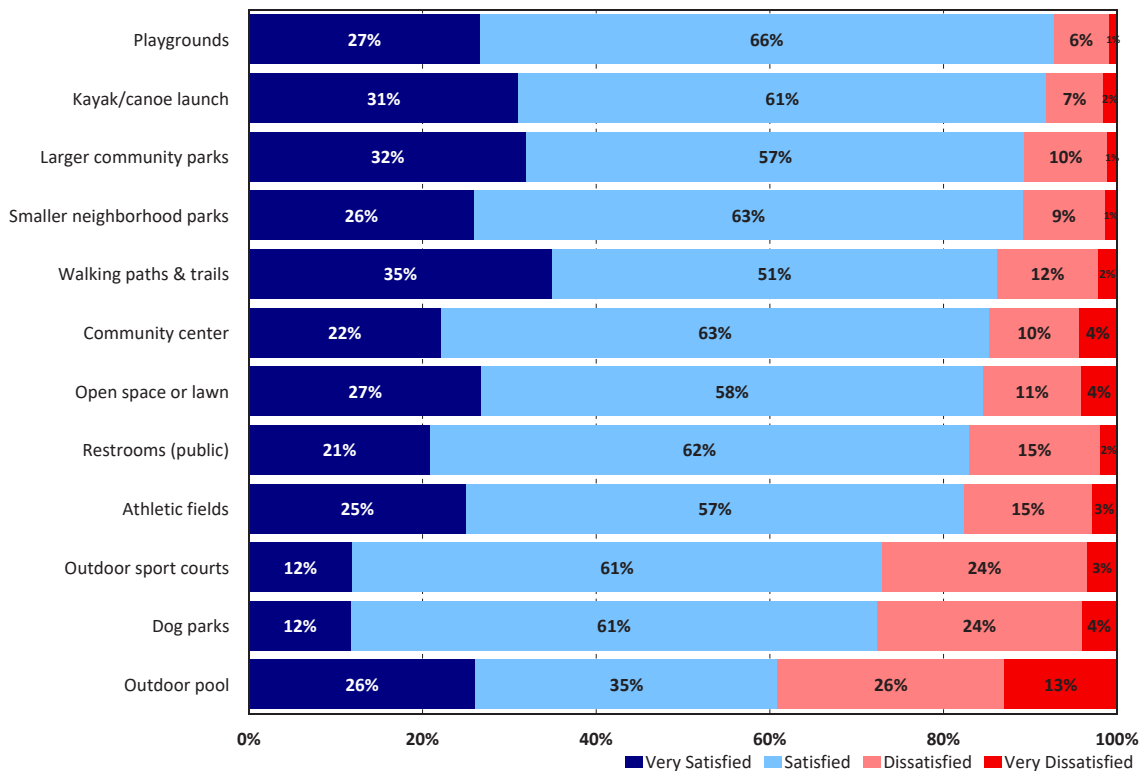


ETC Institute (2022)

13

Q1a. Level of Satisfaction with Amenities

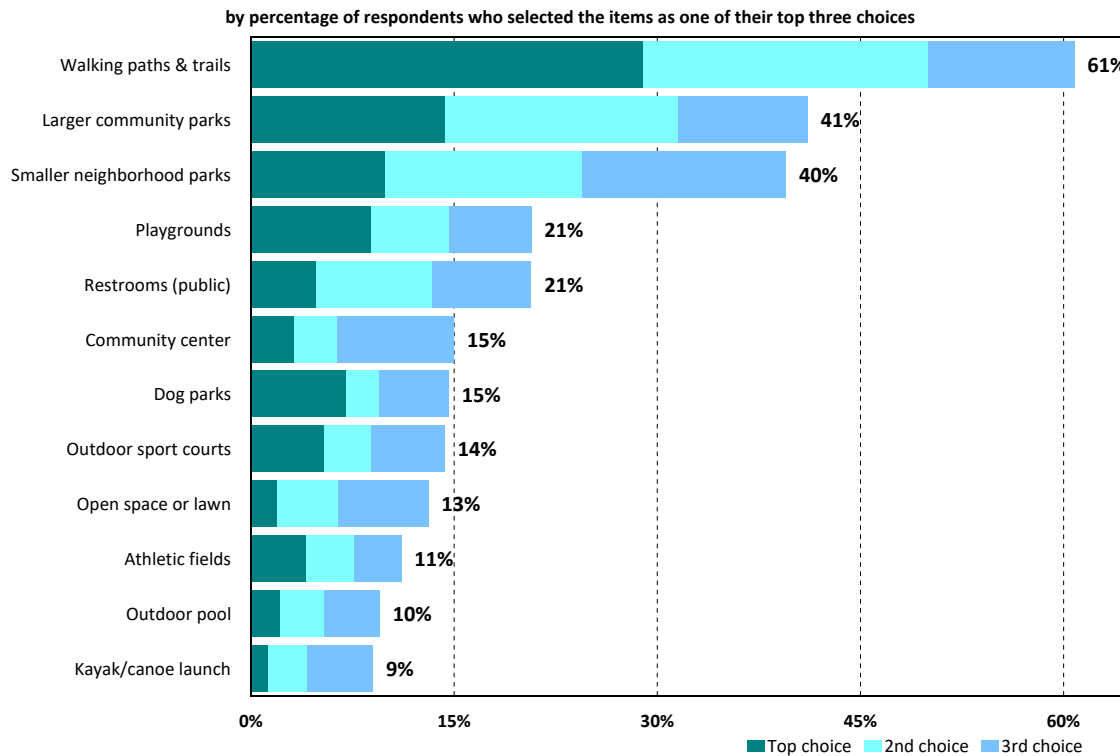
by percentage of respondents who responded "Yes" to Q1 (excluding "not provided")



ETC Institute (2022)

14

Q2. Which THREE of these parks and recreation amenities do you think should receive the MOST ATTENTION over the next TWO-FOUR years?

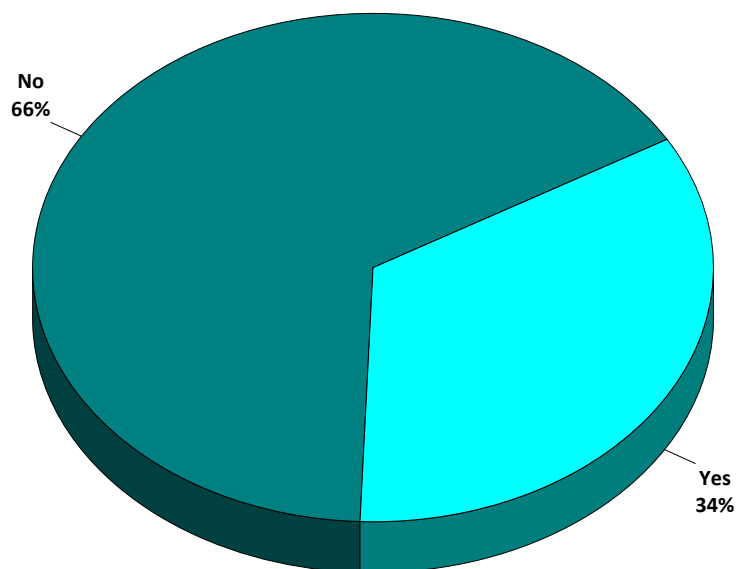


ETC Institute (2022)

15

Q3. Do you feel there are sufficient parks and green space areas within walking distance of your residence?

by percentage of respondents (excluding "not provided")



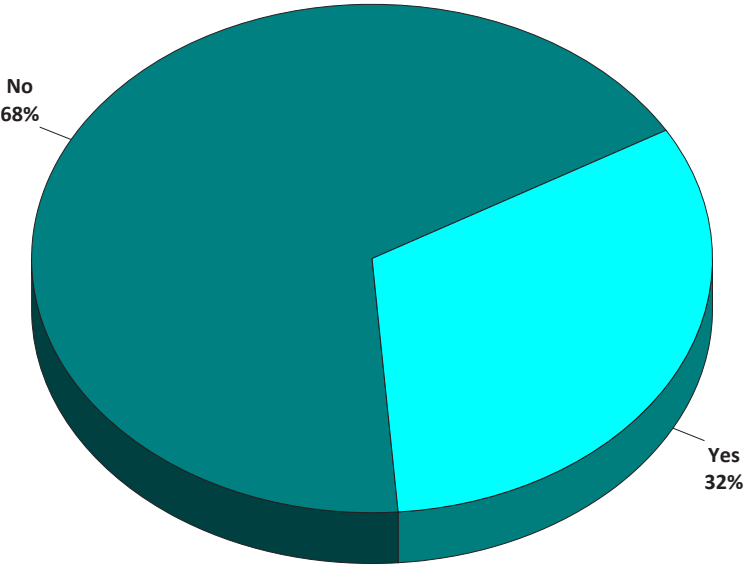
ETC Institute (2022)

16



Q4. Have you or other members of your household participated in any programs (sports, recreation programs, etc.) offered by the City of Greenville during the past 12 months?

by percentage of respondents (excluding "not provided")

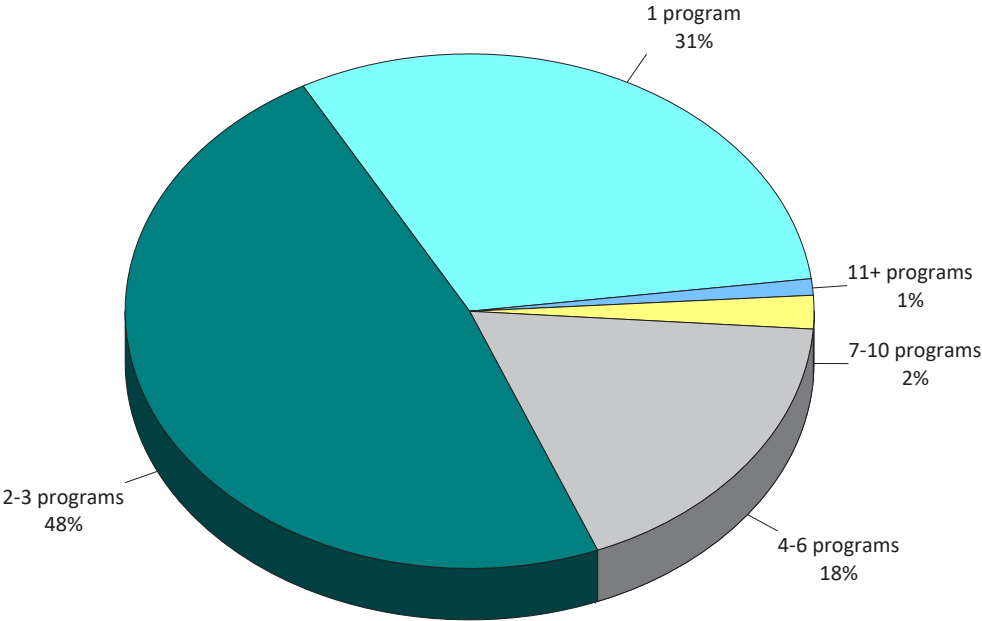


ETC Institute (2022)

17

Q4a. How many different recreation programs have households participated in over the past 12 months?

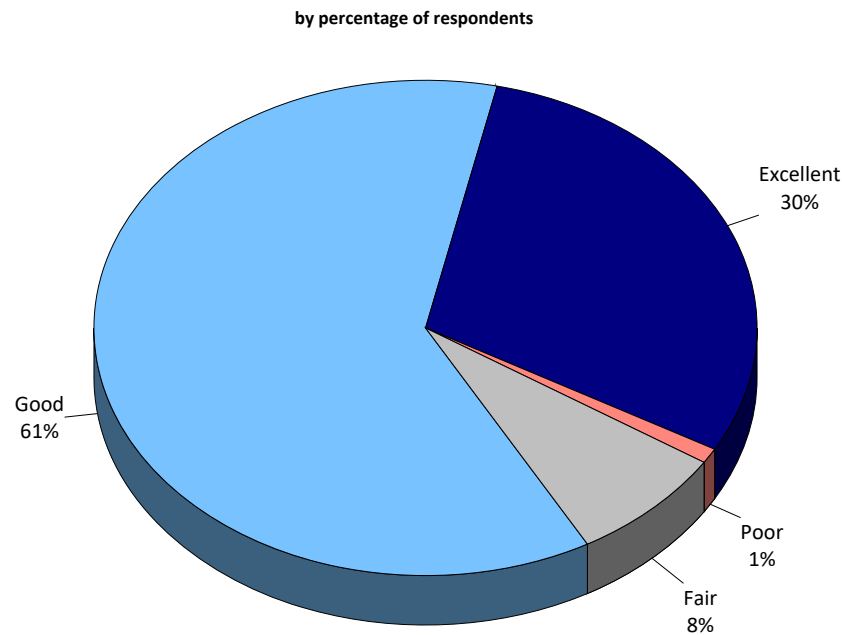
by percentage of respondents (excluding "not provided")



ETC Institute (2022)

18

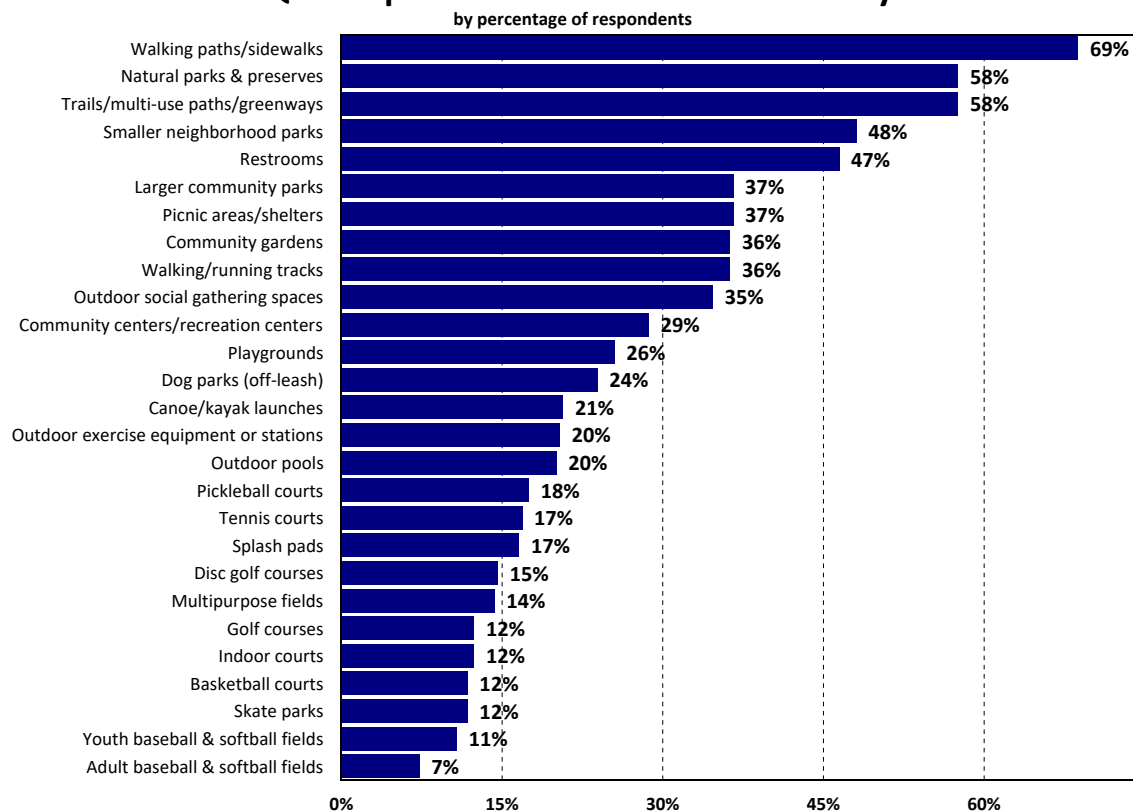
Q4b. Overall, how would you rate the quality of the programs offered by the City of Greenville that you and members of your household participated in?



ETC Institute (2022)

19

Q5. Respondents With Need for Facility



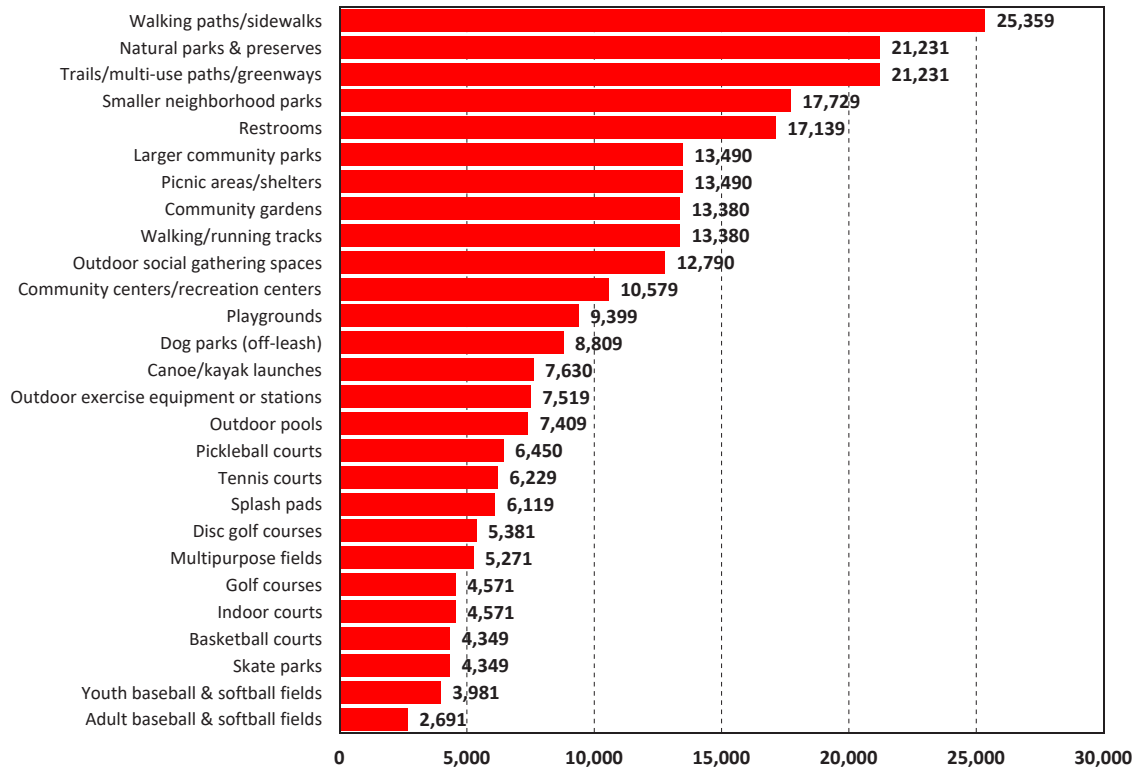
ETC Institute (2022)

20



Q5a. Estimated Number of Households With Need for Facility

by number of households based on an estimated 36,859 households

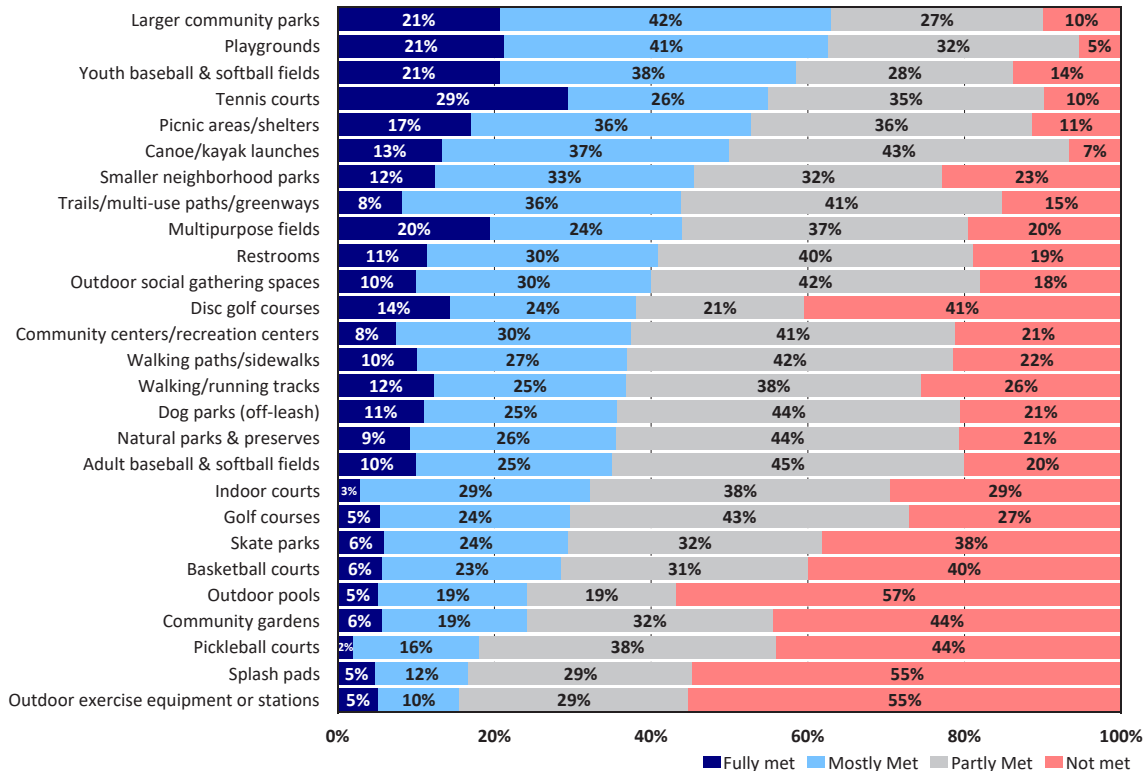


ETC Institute (2022)

21

Q5b. How Well Households' Need For Facility Is Being Met

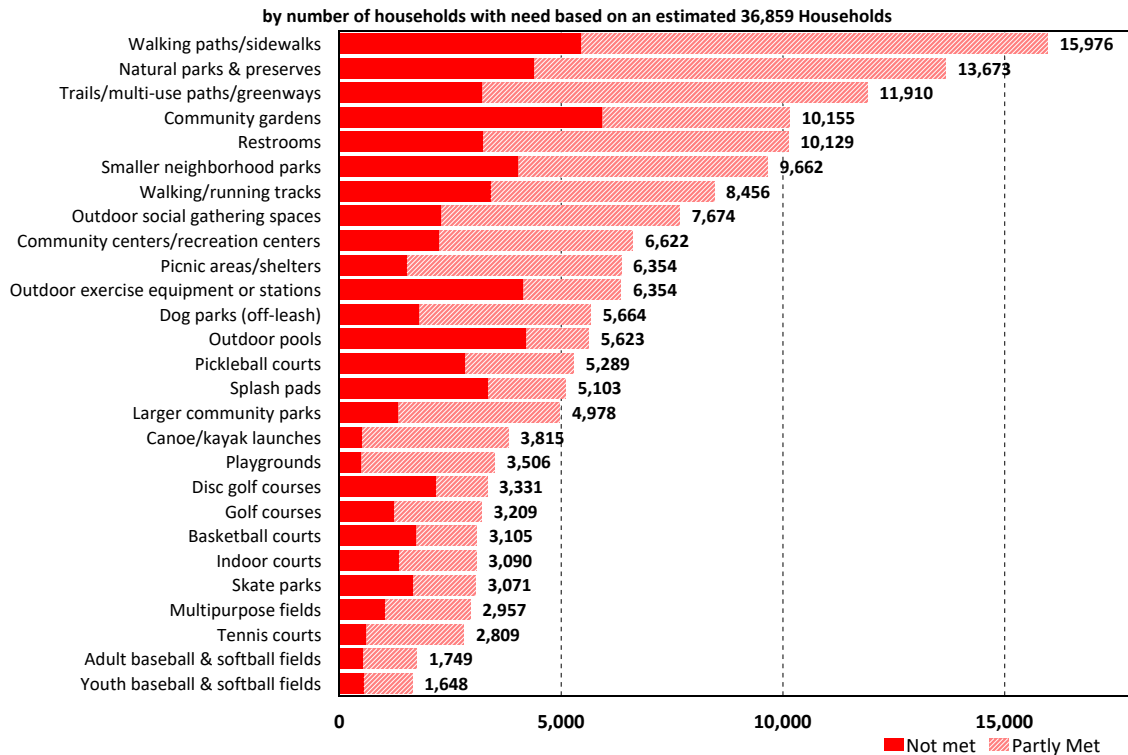
by percentage of respondents who answered "Yes" to Q5



ETC Institute (2022)

22

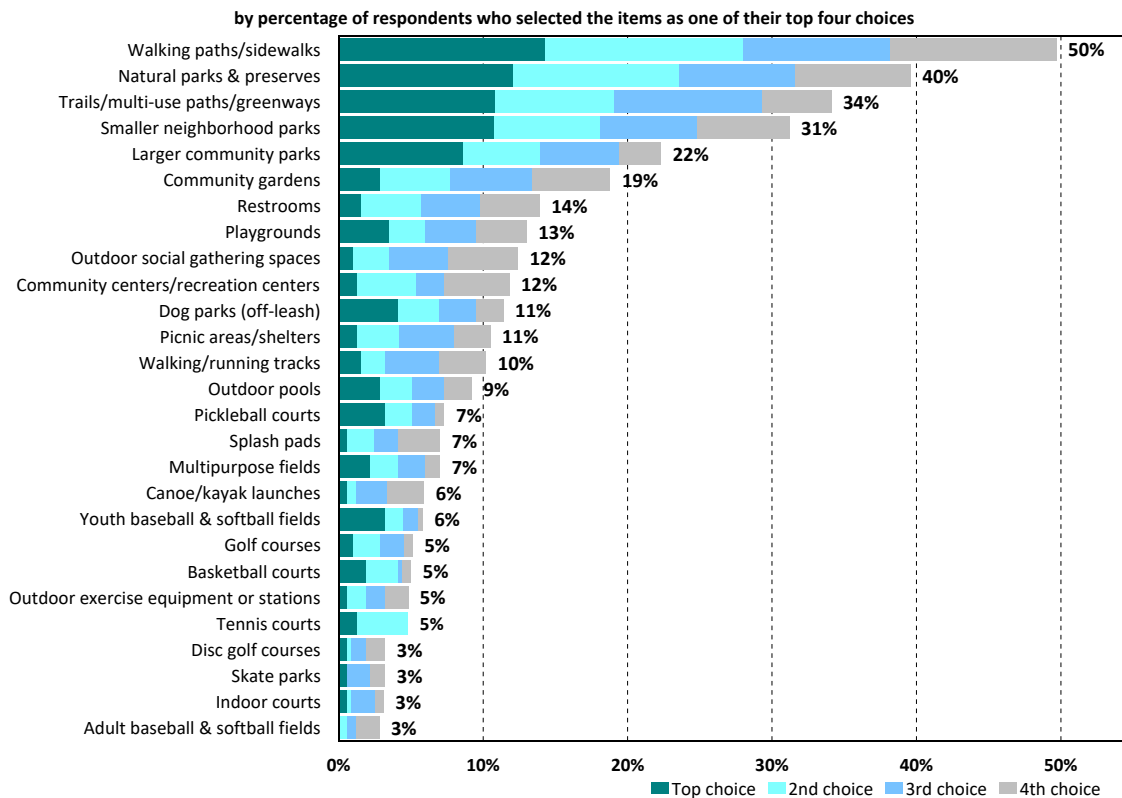
Q5c. Estimated Number of Households Whose Facility Needs are Only “Partly Met” or “Not Met”



ETC Institute (2022)

23

Q6. Most Important Facility to Households



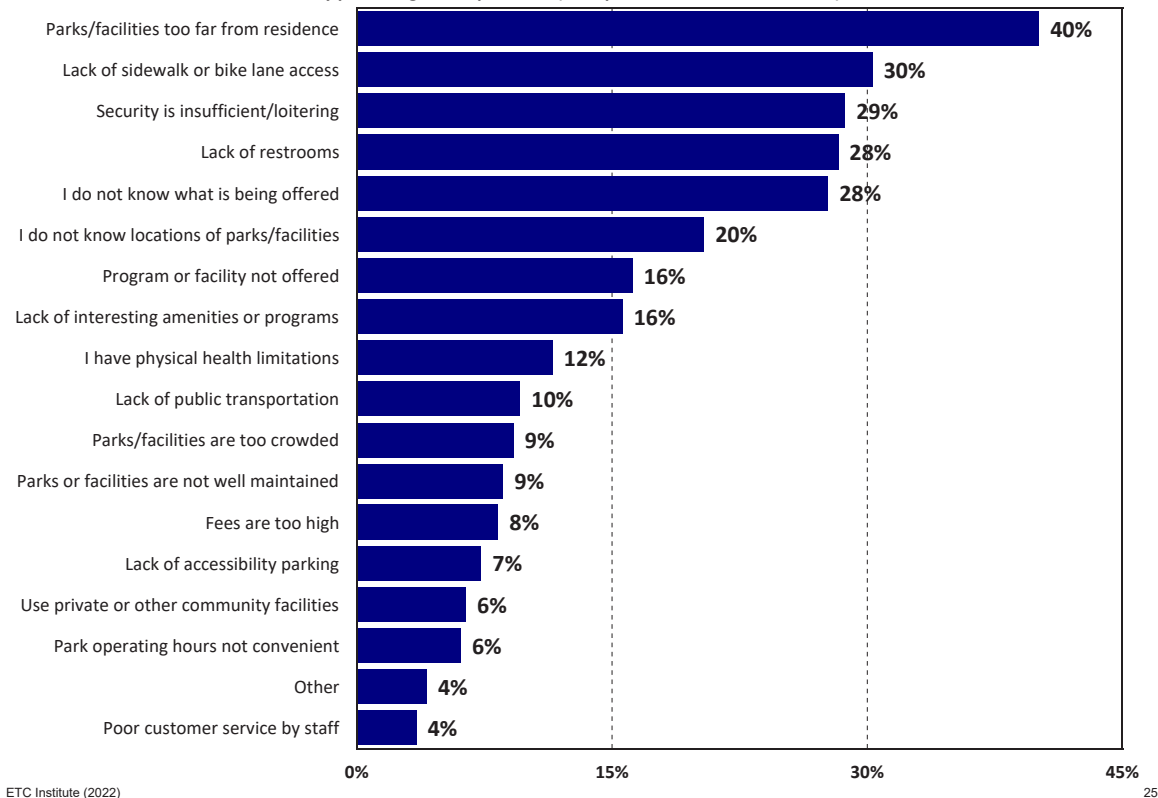
ETC Institute (2022)

24



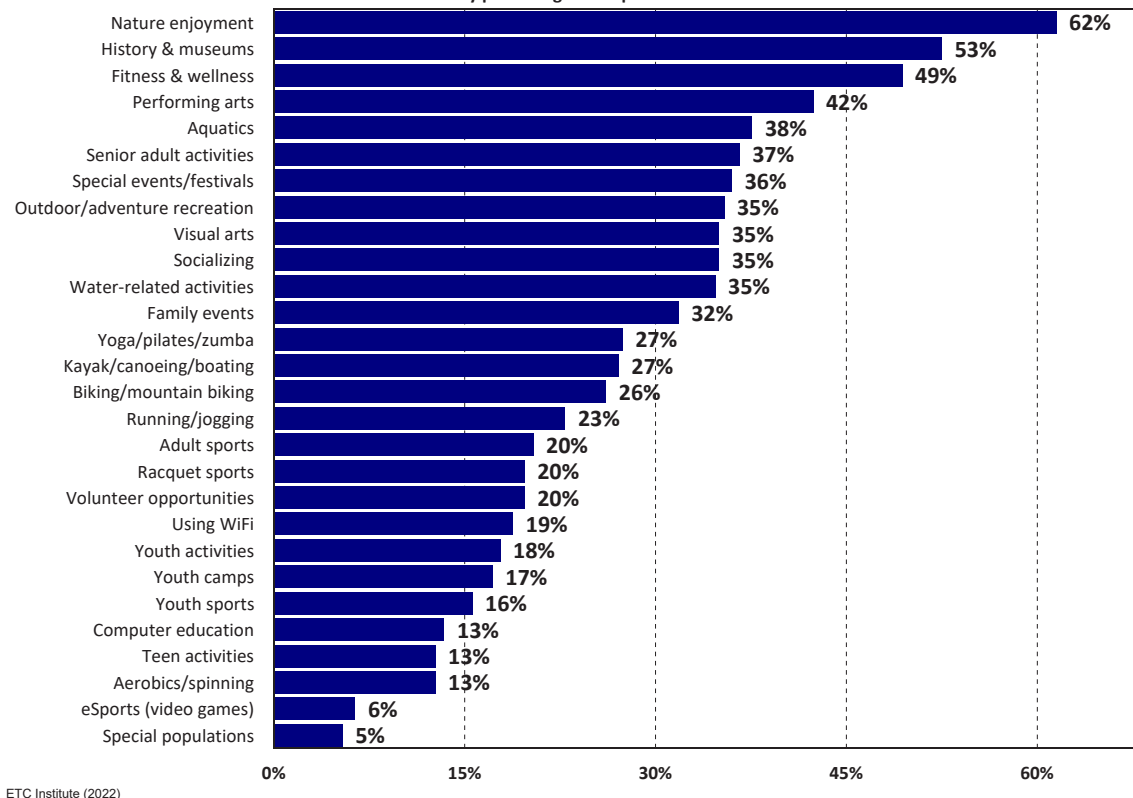
Q7. Barriers to parks, trails, recreation and aquatic facilities or programs use

by percentage of respondents (multiple selections could be made)



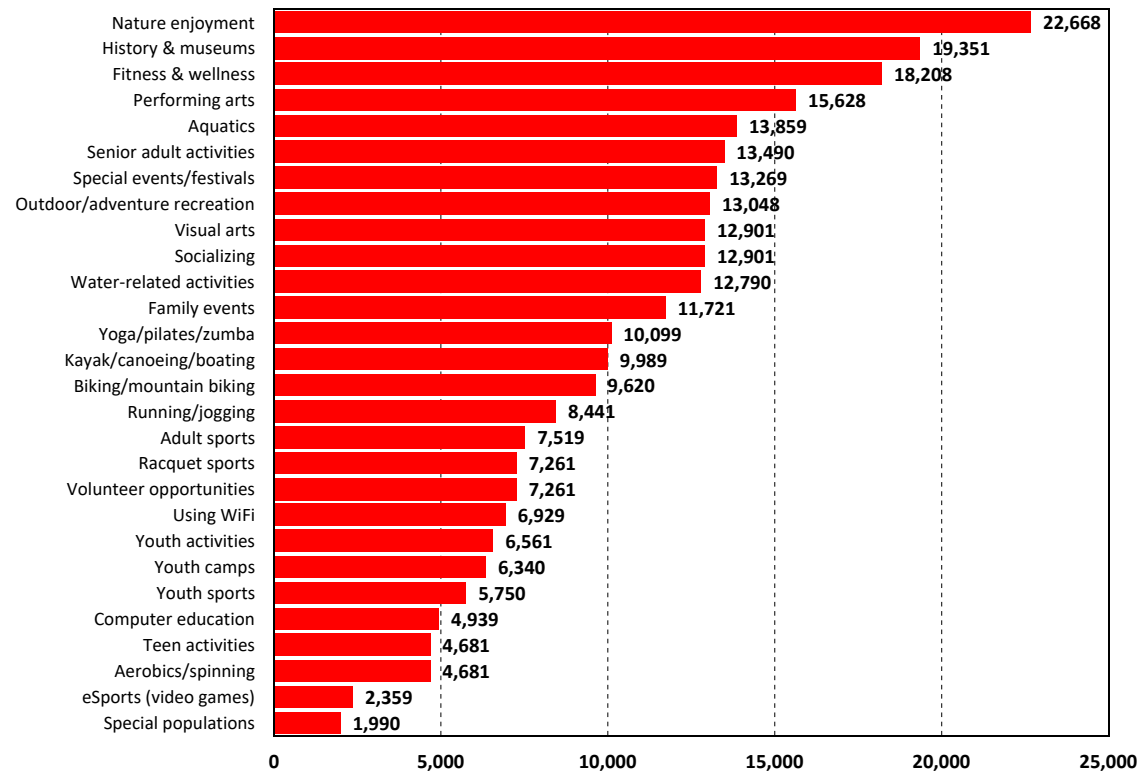
Q8. Respondents With Need for Recreation Activity

by percentage of respondents



Q8a. Estimated Number of Households Who Have a Need for Recreation Activity

by number of households based on an estimated 36,859 households

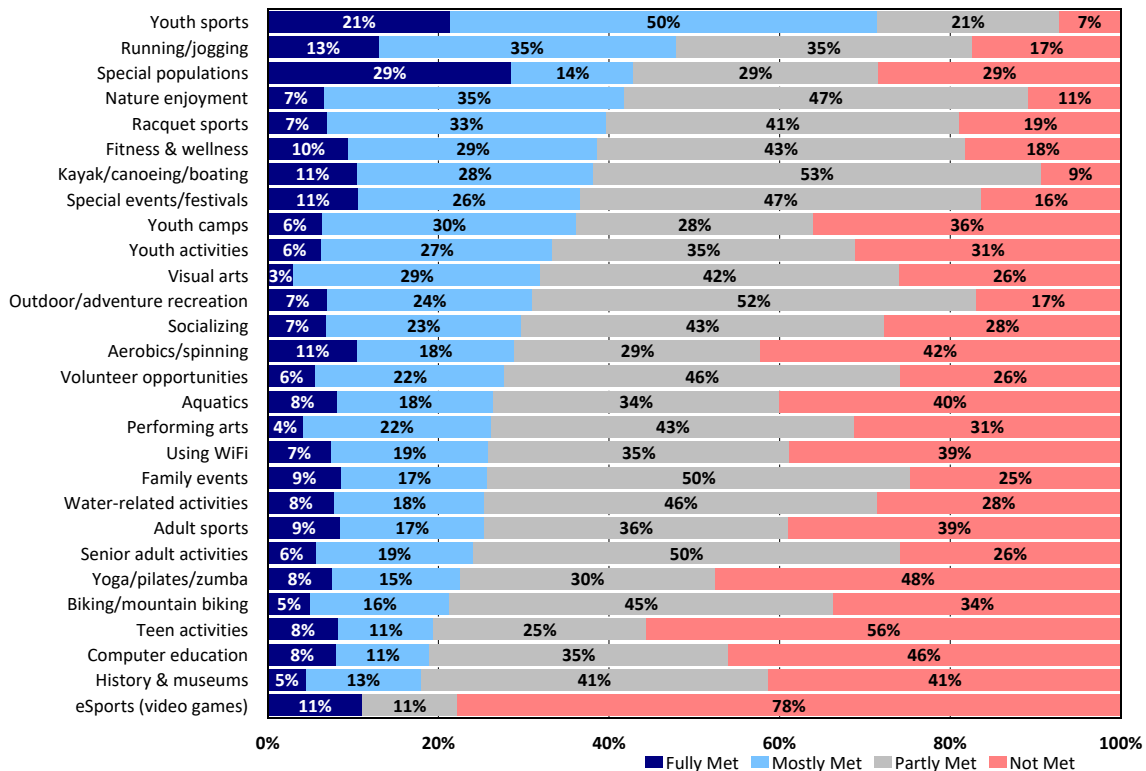


ETC Institute (2022)

27

Q8b. How Well Households' Need For Recreation Activity Is Currently Being Met

by percentage of respondents who answered "Yes" to Q8

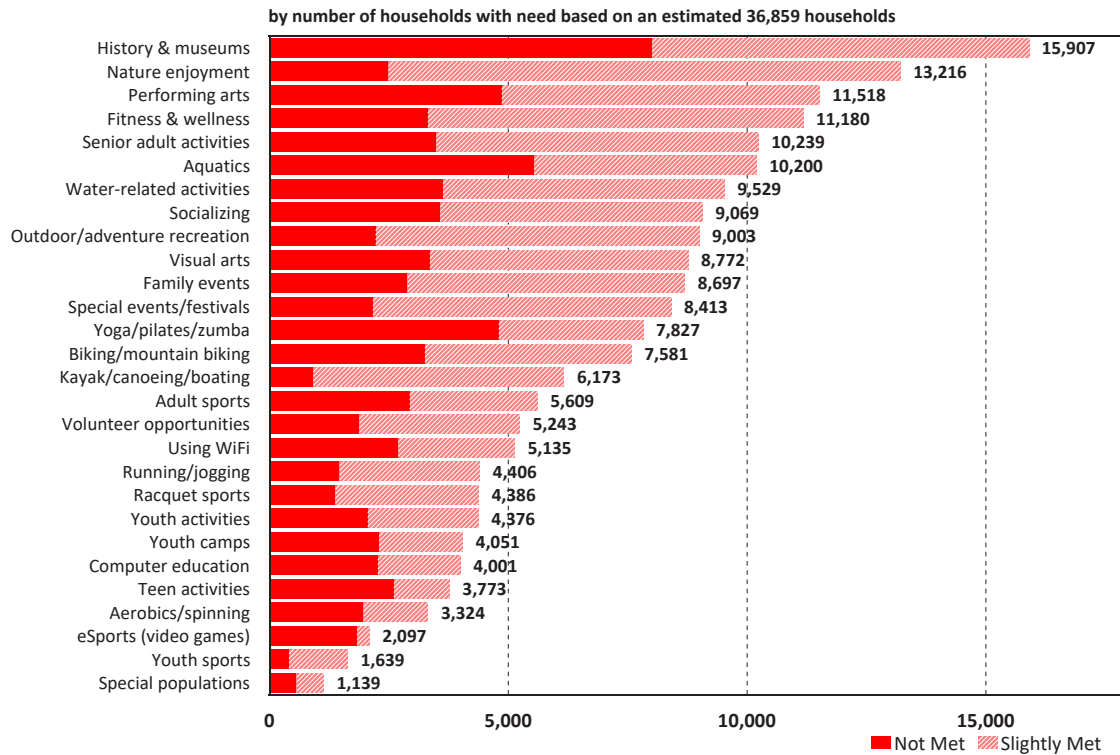


ETC Institute (2022)

28



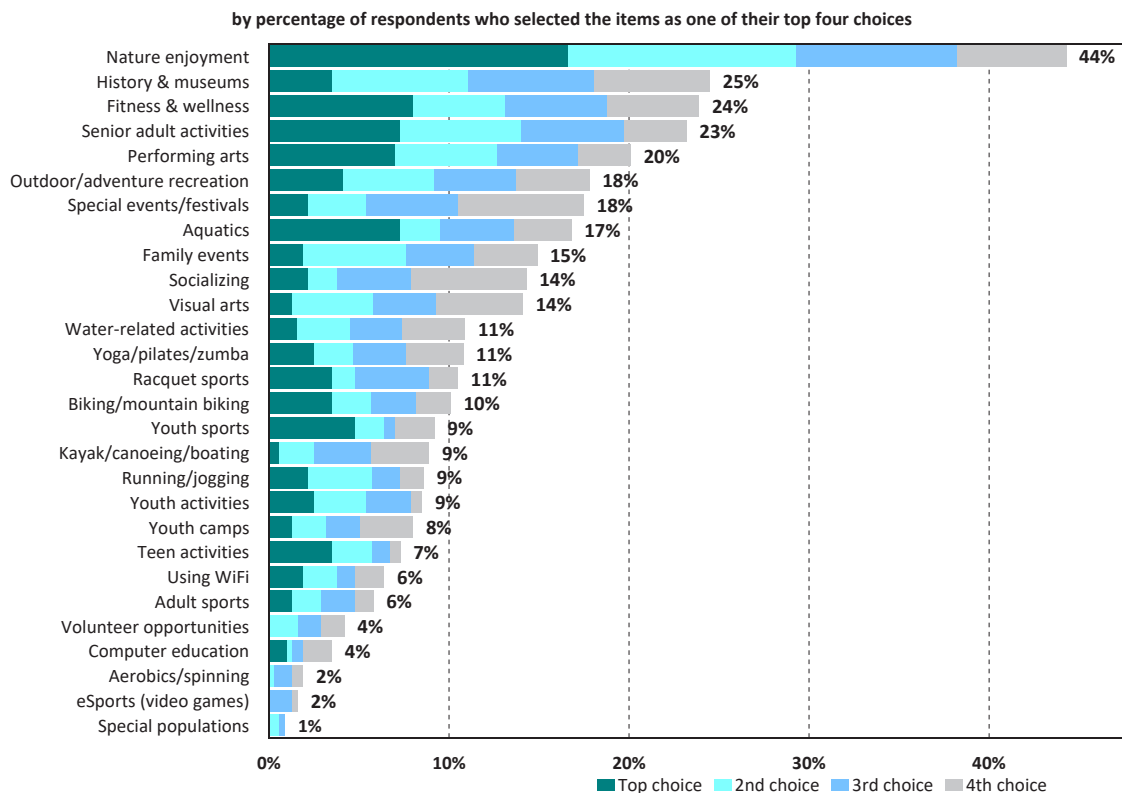
Q8c. Estimated Number of Households Whose Recreation Activity Needs Are Only "Partly Met" or "Not Met"



ETC Institute (2022)

29

Q9. Most Important Recreation Activity to Households

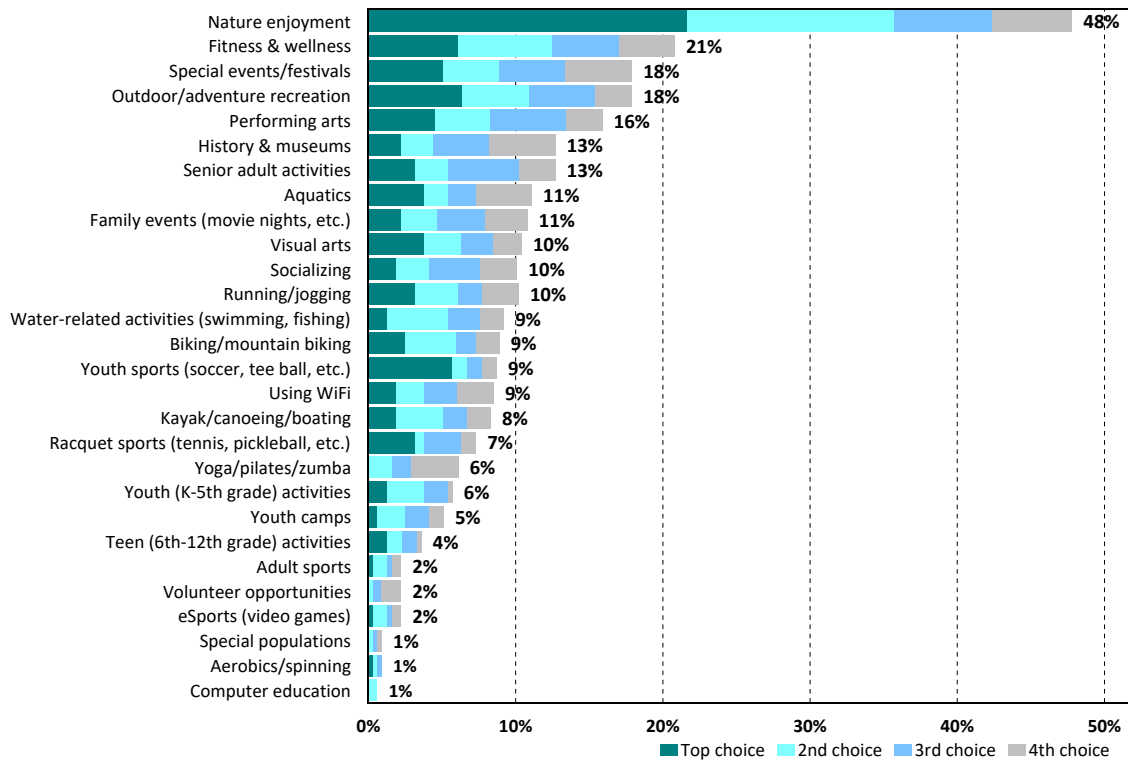


ETC Institute (2022)

30

Q10. Activities Households Participate in Most Often

by percentage of respondents who selected the items as one of their top four choices

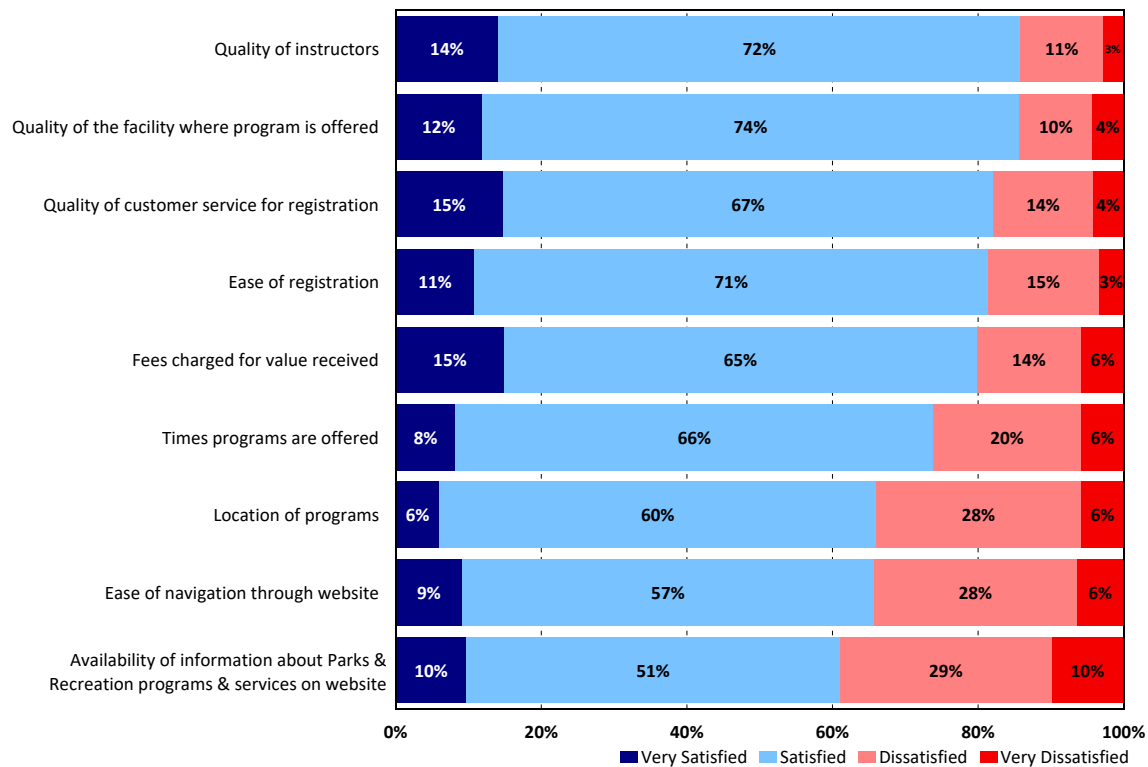


ETC Institute (2022)

31

Q11. Level of Satisfaction with Program Services

by percentage of respondents (excluding "not provided")



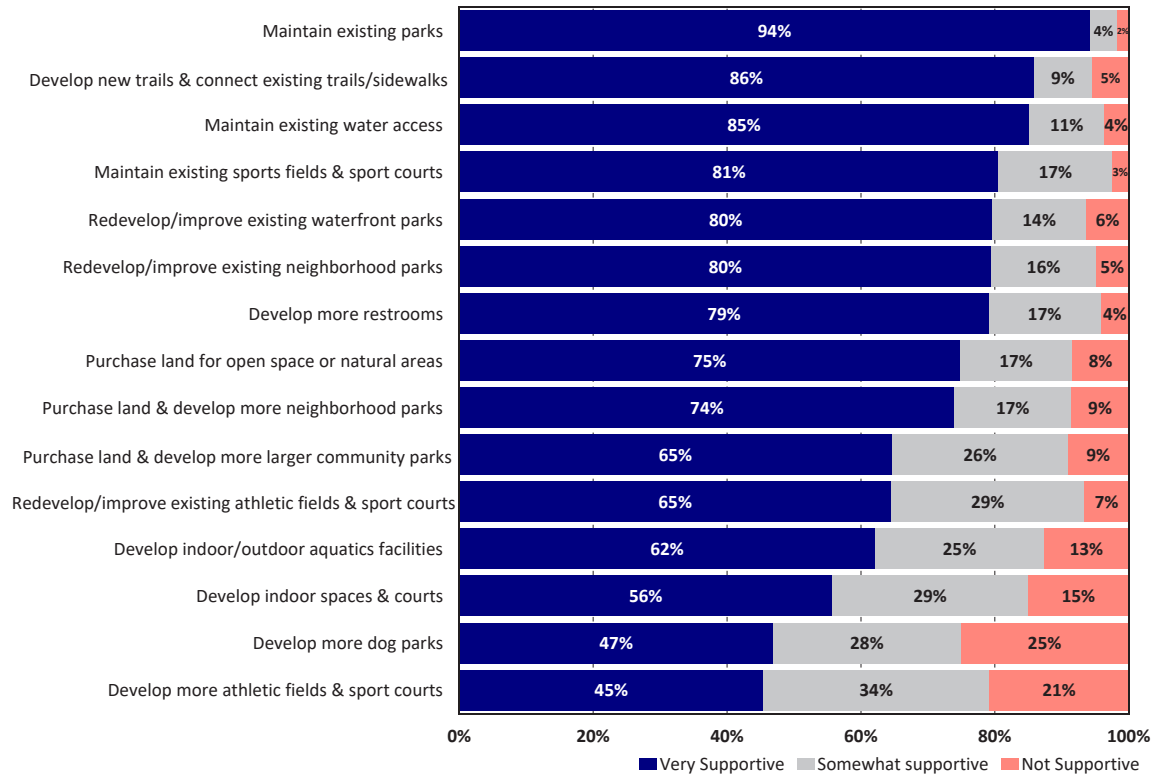
ETC Institute (2022)

32



Q12. Level of Support for Actions to Improve Parks and Recreation

by percentage of respondents (excluding "not provided")

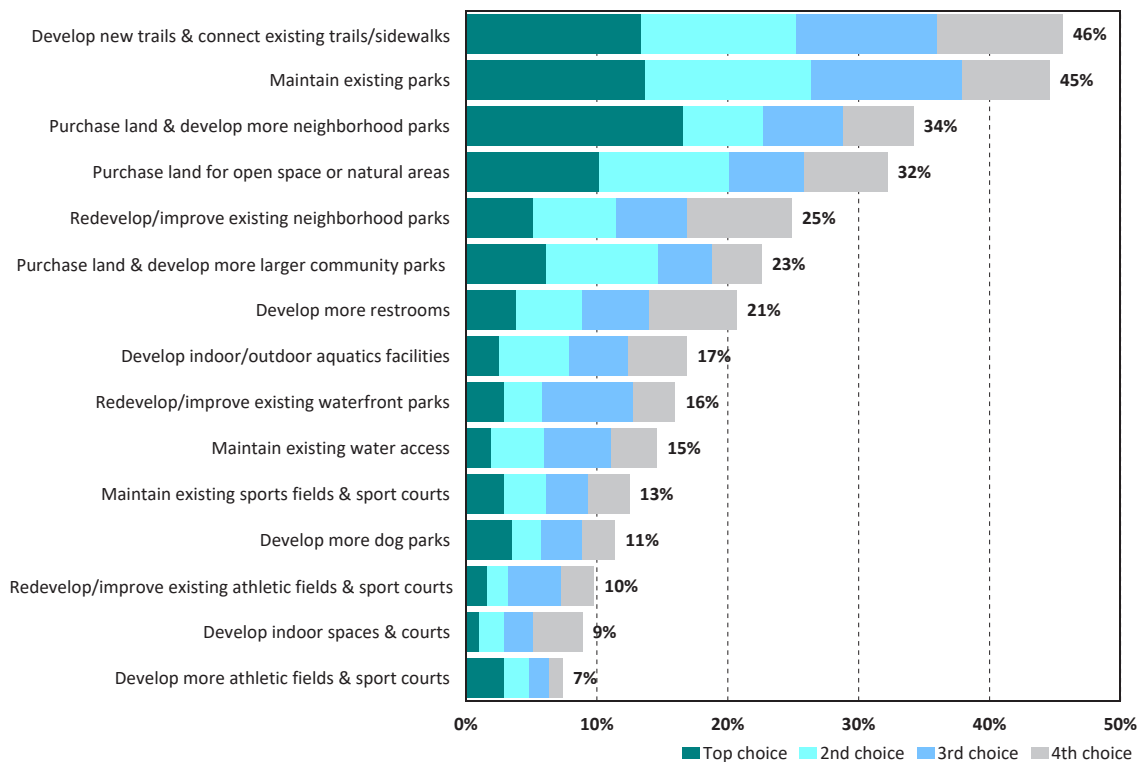


ETC Institute (2022)

33

Q13. Potential Improvements Respondents Are Most Willing to Fund

by percentage of respondents who selected the items as one of their top four choices

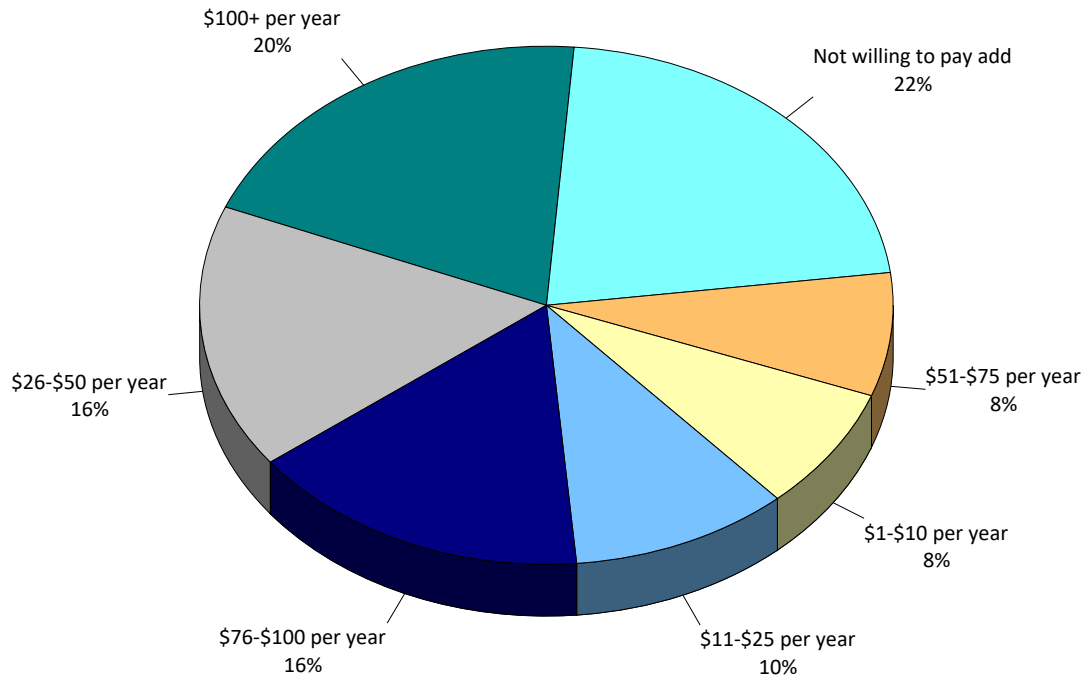


ETC Institute (2022)

34

Q14. Amount respondents would be willing to pay in additional taxes to fund actions

by percentage of respondents (excluding "not provided")

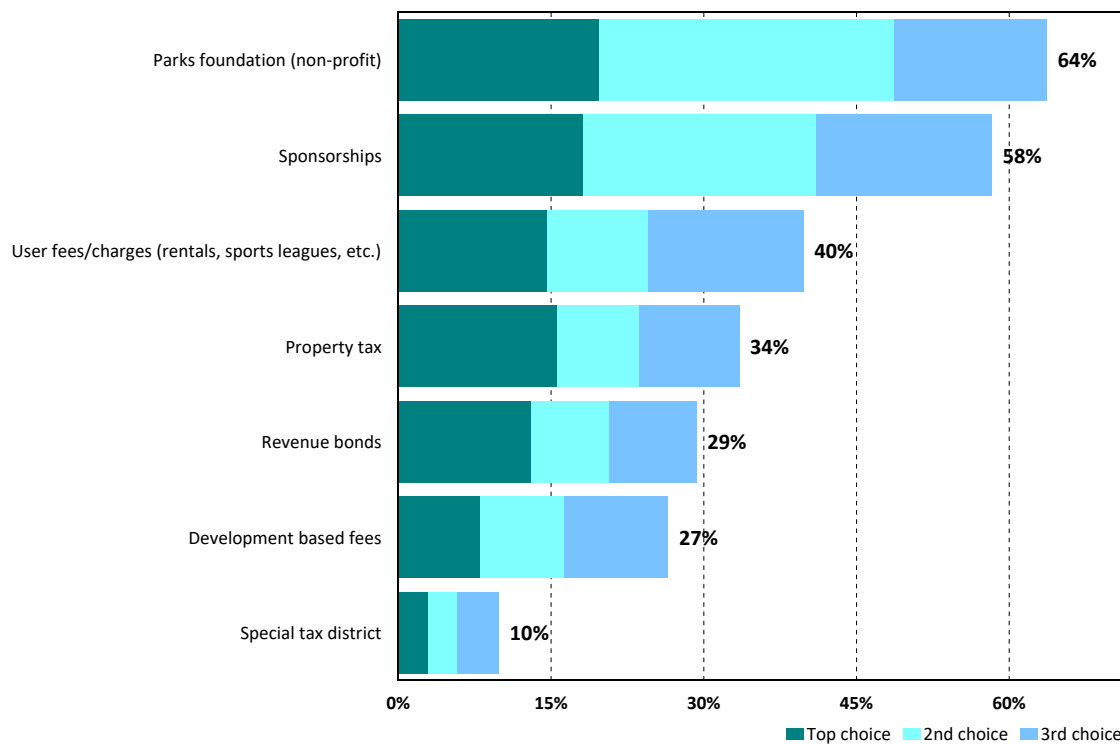


ETC Institute (2022)

35

Q15. Which THREE of the following choices of funding sources do you most prefer?

by percentage of respondents who selected the items as one of their top three choices



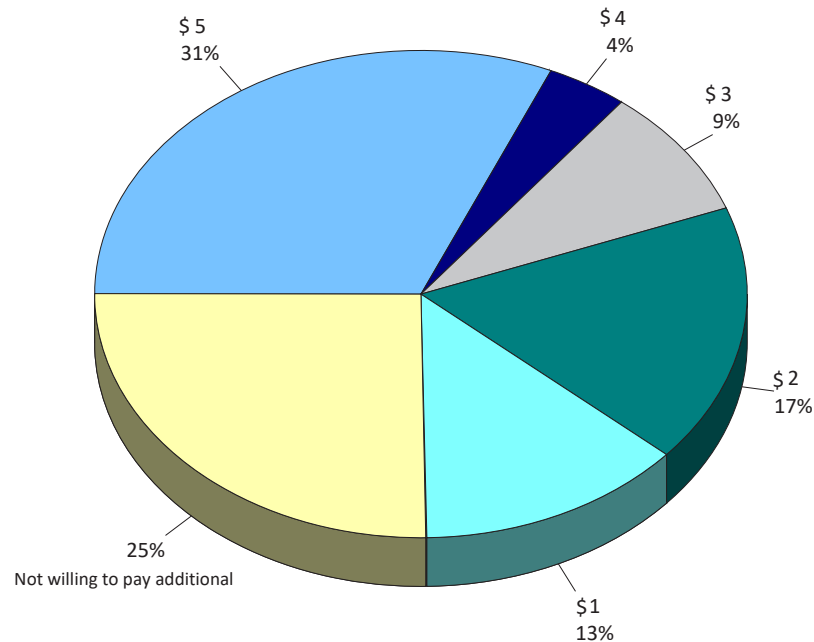
ETC Institute (2022)

36



Q16. Additional amount in user fees or charges per person you would be willing to pay for your favorite Recreation and Parks activity or program which you or members of your household participate

by percentage of respondents (excluding "not provided")

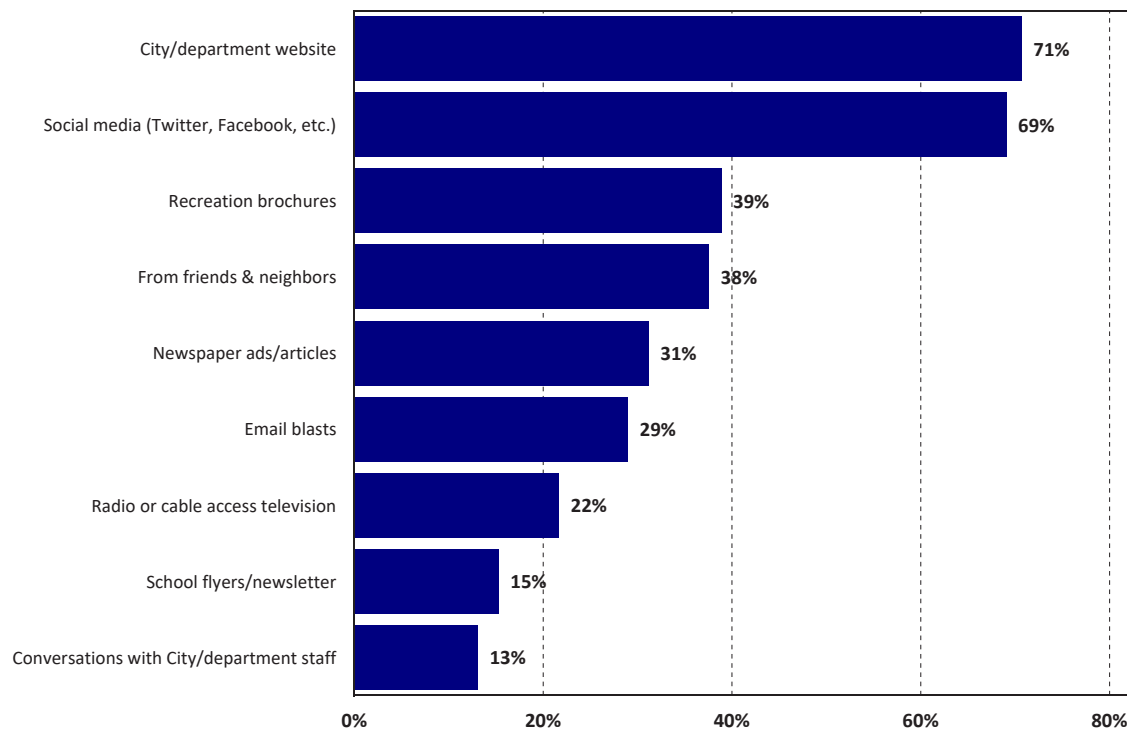


ETC Institute (2022)

37

Q17. Ways households prefer to learn about City of Greenville recreational programs and activities

by percentage of respondents (multiple selections could be made)

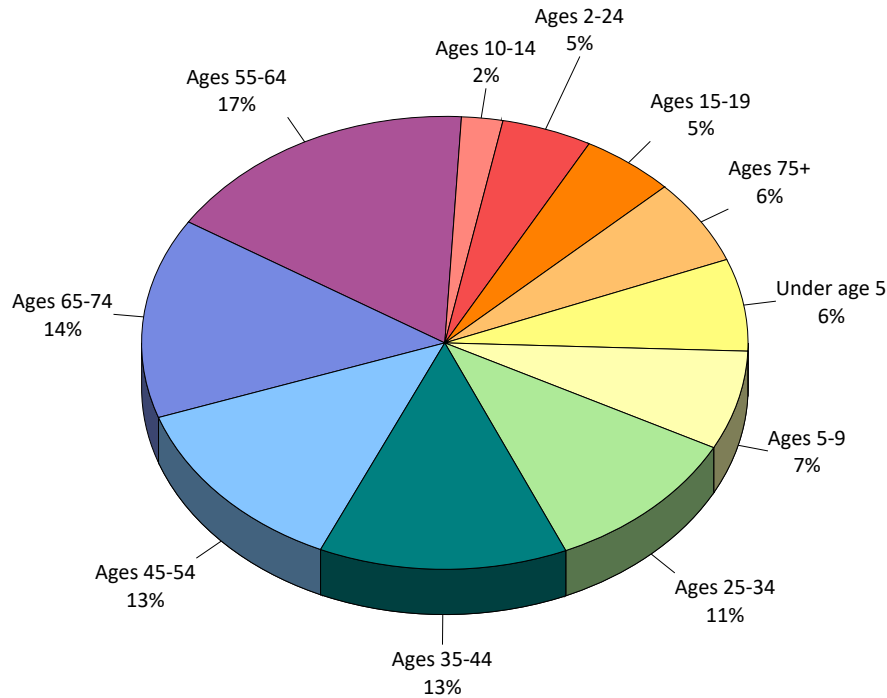


ETC Institute (2022)

38

Q18. Counting yourself, how many people in your household are in the following age groups?

by percentage of persons in household

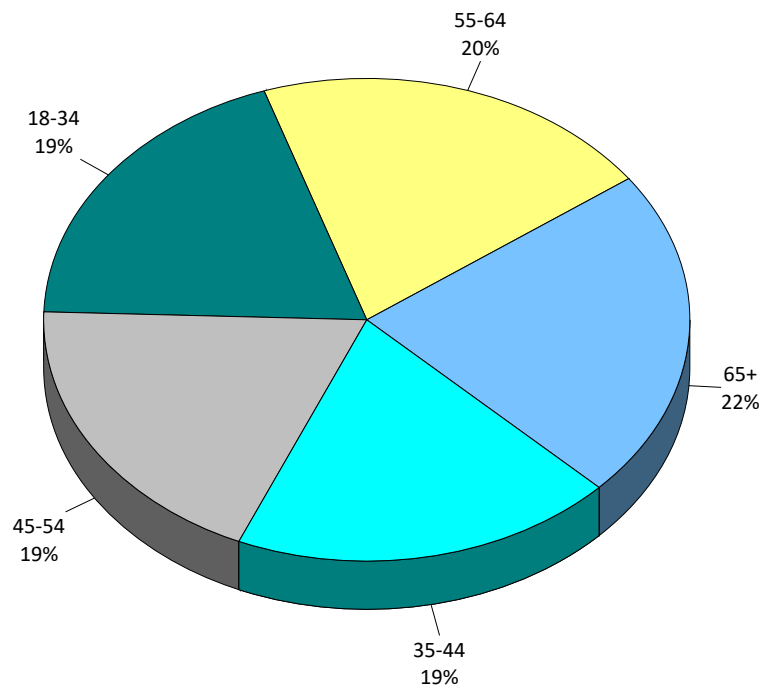


ETC Institute (2022)

39

Q19. Respondent Age

by percentage of respondents (excluding "not provided")



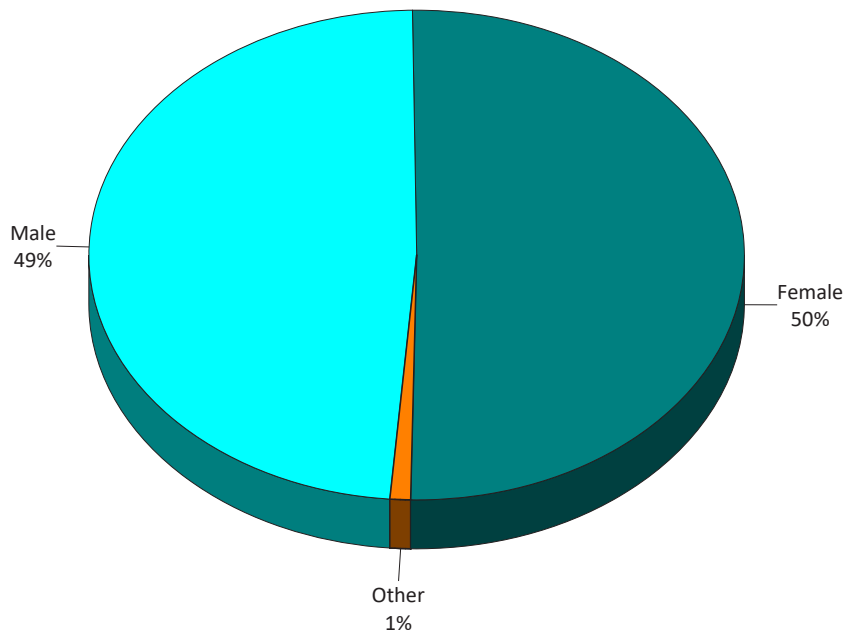
ETC Institute (2022)

40



Q20. Respondent's Gender

by percentage of respondents (excluding "not provided")

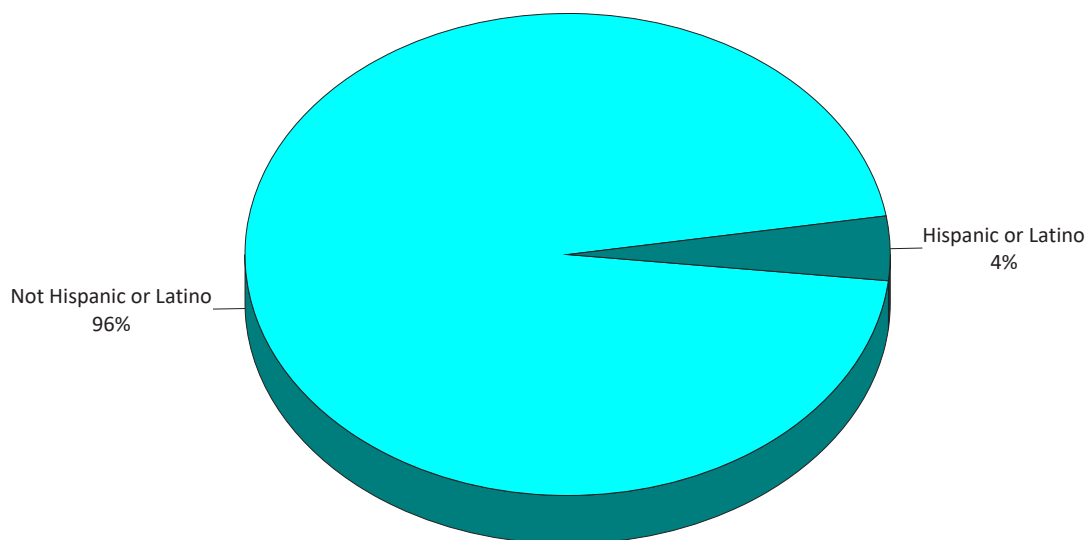


ETC Institute (2022)

41

Q21. Which ONE of the following best describes your ethnicity?

by percentage of respondents (excluding "not provided")

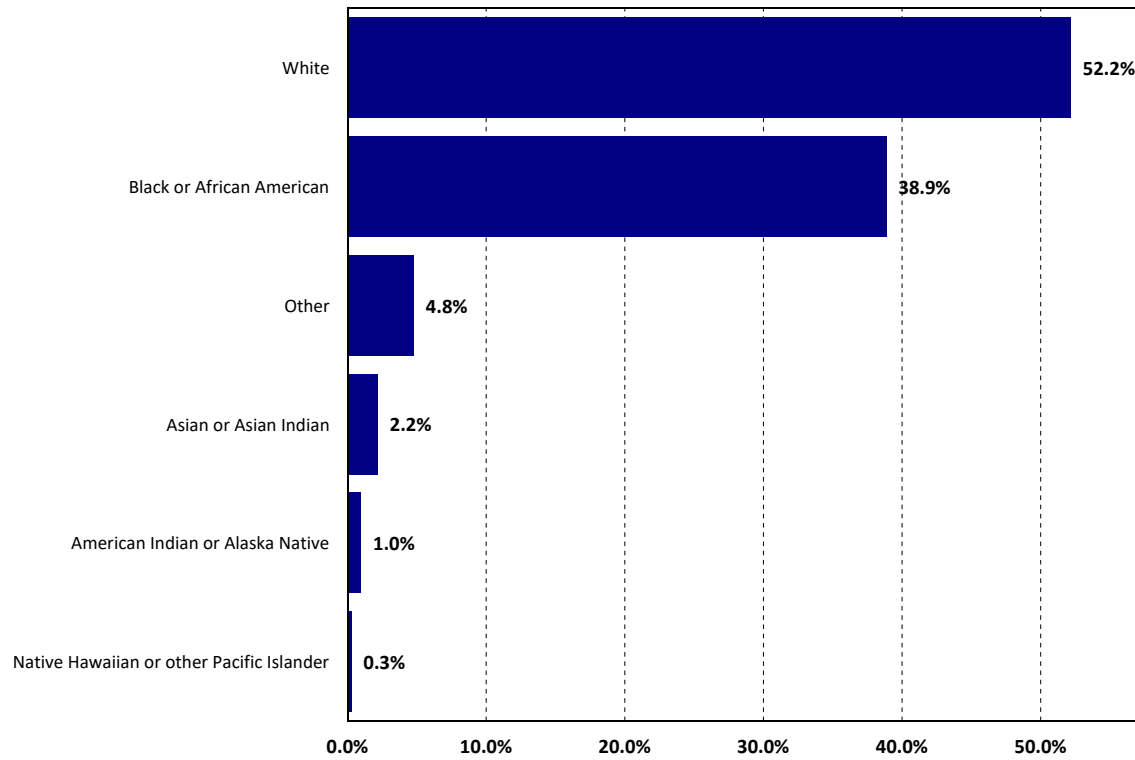


ETC Institute (2022)

42

Q22. Which of the following best describes you?

by percentage of respondents (multiple selections could be made)



ETC Institute (2022)

43



City of Greenville Recreation and Parks Master Plan

Vision - Probable Cost Estimate (2023) - Capital Projects

Prioritization Scoring

0-5 0-5 0-5 0-4 0-4 0-3 0-3 0-3 0-32

Phasing Legend*

ST	Short-Term - 1-5 Years
MT	Medium-Term - 6-10 Years
LT	Long-Term - 10+ Years

Subsystems^

Waterfront and Natural/Passive Parks	WNP
Community/Neighborhood/Mini Parks	CNP
Athletic Facilities	AF
Greenways and Blueways	GB
Programs	PRG

					Unit	Quantity	Unit Cost	Subtotal
A. Existing Parks and Facilities: Neighborhood and Mini Parks								
AB	Phase*	Subsystem^	District	Andrew A. Best Freedom Park				
AB	MT	CNP	2	Fitness Court	EA	1	\$175,000	\$175,000
AB	LT	CNP	2	Playground replacement; 2-5 and 5-12; PIP surface	LS	1	\$450,000	\$450,000
AB	ST	CNP	2	Sport Court/basketball court; no lighting	EA	1	\$60,000	\$60,000
AB	ST	CNP	2	Tree canopy plantings	LS	1	\$15,000	\$15,000
Subtotal:								\$700,000
AB								\$700,000
BM	Phase*	Subsystem^	District	Beatrice Maye Garden Park				
BM	MT	CNP	2	Site furnishings and landscape	LS	1	\$30,000	\$30,000
Subtotal:								\$30,000
BM								\$30,000
DM	Phase*	Subsystem^	District	Dream Park				
DM	ST	CNP	2	Fitness Court	EA	1	\$175,000	\$175,000
DM	MT	CNP	2	Food truck area	LS	1	\$25,000	\$25,000
DM	ST	CNP	2	Updated park signage and wayfinding	LS	1	\$25,000	\$25,000
DM	LT	CNP	2	Playgrounds replacement w/ PIP surface	LS	1	\$400,000	\$400,000
Subtotal:								\$625,000
DM								\$625,000
GS	Phase*	Subsystem^	District	Greensprings Park				
GS	MT	CNP	3	New small playground w/ EWF surface	LS	1	\$200,000	\$200,000
GS	ST	GB	3	Trailhead kiosk, bike repair station	LS	1	\$40,000	\$40,000
GS	ST	CNP	3	Two (2) 15x15 shelters w/ picnic tables	EA	2	\$35,000	\$70,000
GS	ST	CNP	3	Interpretative signage	LS	1	\$30,000	\$30,000
GS	ST	CNP	3	New restrooms facility	SF	1000	\$450	\$450,000
Subtotal:								\$790,000
GS								\$790,000
HL	Phase*	Subsystem^	District	Hillsdale Park				
HL	MT	CNP	2	Playground replacement; EWF surface	LS	1	\$200,000	\$200,000
HL	ST	CNP	2	ADA access; crosswalk to site; sidewalk into site	LS	1	\$50,000	\$50,000
HL	ST	CNP	2	Fitness Stations (2-3)	LS	1	\$50,000	\$50,000
Subtotal:								\$300,000
HL								\$300,000
KD	Phase*	Subsystem^	District	Kristin Drive Park				
KD	MT	CNP	2	Fitness Court	EA	1	\$175,000	\$175,000
KD	ST	CNP	2	Sport Court/basketball court resurface	EA	1	\$35,000	\$35,000
KD	ST	CNP	2	One (1) 15x15 shelter w/ picnic tables	EA	1	\$35,000	\$35,000
KD	ST	CNP	2	New park signage and landscaping	LS	1	\$25,000	\$25,000
Subtotal:								\$270,000
KD								\$270,000
PM	Phase*	Subsystem^	District	Paramore Park				
PM	ST	CNP	5	Add a Sprayground and restroom with additional parking.	LS	1	\$850,000	\$850,000
PM	ST	GB	5	Trailhead kiosk; signage, bike racks, bike repair station	LS	1	\$30,000	\$30,000
PM	ST	CNP	5	Outdoor Fitness Stations/Court	EA	1	\$175,000	\$175,000
PM	MT	CNP	5	20x20 pavilion with picnic tables	EA	1	\$50,000	\$50,000
Subtotal:								\$1,105,000
PM								\$1,105,000

Improves Access or Connectivity	0	3	5	2	0	0	0	0	10
Improves or Advances Equity Goals	0	2	4	1	0	0	3	2	12
Documented Public Need or Demand	0	4	3	1	1	0	0	0	9
Potential to Leverage Alternative Funding or Programming Partners	0	0	0	1	1	0	0	3	5

0	2	2	1	1	0	0	2	8
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0	3	5	2	0	0	0	0	10
1	2	2	1	1	1	0	0	8
0	0	2	1	1	0	0	2	7
0	2	4	1	0	0	3	2	12

0	4	4	1	0	0	0	2	11
3	4	5	2	1	0	0	1	16
0	1	4	1	1	0	0	1	8
0	0	2	2	1	0	2	1	8
2	4	5	0	0	0	0	1	12

0	2	4	1	0	0	3	2	12
4	2	5	3	3	0	0	1	18
0	3	5	2	0	0	0	0	10

0	3	5	2	0	0	0	0	10
0	4	3	1	1	0	3	0	12
0	1	4	1	1	0	0	1	8
0	0	2	1	1	0	2	2	8

0	5	5	1	1	0	0	1	13
3	4	5	2	1	0	0	1	16
0	3	5	2	0	0	0	0	10
0	1	4	1	1	0	0	1	8

PP	Phase*	Subsystem^	District	Peppermint Park				
PP	ST	CNP	3	Additional sport court/half basketball	LS	1	\$35,000	\$35,000
PP	ST	CNP	3	Additional landscape, screen/shade trees	LS	1	\$10,000	\$10,000
PP	MT	CNP	3	Paved parking	LS	1	\$40,000	\$40,000
PP	LT	CNP	3	Playground replacement w/ EWF surface	LS	1	\$200,000	\$200,000
Subtotal:								\$285,000

0	4	3	1	1	0	0	0	9
0	0	2	1	1	0	0	3	7
1	1	1	0	0	0	2	1	6
0	2	4	1	0	0	3	2	12

PP								\$285,000
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RE	Phase*	Subsystem^	District	Rivers Edge Park				
RE	ST	GB	3	Kayak launch; blueway signage	LS	1	\$35,000	\$35,000
RE	ST	CNP	3	15x15 Pavilion for dog park; picnic tables	LS	1	\$40,000	\$40,000
RE	LT	CNP	3	Dog Park expansion	LS	1	\$250,000	\$250,000
RE	ST	CNP	3	Signage/Wayfinding	LS	1	\$25,000	\$25,000
Subtotal:								\$350,000

4	3	5	2	2	0	0	1	17
0	1	4	1	1	0	0	1	8
0	2	3	1	1	0	1	0	8
0	0	2	1	1	0	2	0	6

RE								\$350,000
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WH	Phase*	Subsystem^	District	Westhaven Park				
WH	MT	CNP	5	Playgrounds replacement; PIP surface	EA	1	\$200,000	\$200,000
WH	MT	CNP	5	Perimeter paved walking path; 6 ft width	LF	600	\$25	\$15,000
WH	ST	CNP	5	Signage/Wayfinding	LS	1	\$15,000	\$15,000
WH	MT	CNP	5	ADA improvements; entry, seating	LS	1	\$20,000	\$20,000
Subtotal:								\$250,000

0	2	4	1	0	0	3	2	12
2	3	5	1	1	0	0	1	13
0	0	2	1	1	0	2	0	6
4	2	4	1	1	0	0	0	12

WH								\$250,000
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WP	Phase*	Subsystem^	District	Westpointe Park				
WP	MT	CNP	1	Construct a new entrance, parking lot, event shelter, restrooms, outdoor basketball court, dog park, and walking trail.	LS	1	\$1,450,000	\$1,450,000
Subtotal:								\$1,450,000

3	4	5	3	2	1	0	1	19
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WP								\$1,450,000
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WL	Phase*	Subsystem^	District	Woodlawn Park				
WL	ST	CNP	3	Full-size basketball court; no lighting	EA	1	\$60,000	\$60,000
WL	ST	CNP	3	ADA access; curb ramps and sidewalk 5 ft width	LS	1	\$30,000	\$30,000
WL	MT	CNP	3	Fitness Stations (2-3)	LS	1	\$50,000	\$50,000
WL	LT	CNP	3	Playground replacement w/ EWF surface	LS	1	\$200,000	\$200,000
Subtotal:								\$340,000

0	4	3	1	1	0	0	0	9
4	2	5	3	3	0	0	1	18
0	3	5	2	0	0	0	0	10
0	2	4	1	0	0	3	2	12

WL								\$340,000
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A. Existing Parks and Facilities: Neighborhood and Mini Parks							Subtotal	\$6,495,000
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By Phasing (unfunded)	Short-Term	\$2,365,000	36.4%
	Medium-Term	\$2,630,000	40.5%
	Long-Term	\$1,500,000	23.1%
By System Components	WNP		0.0%
	CNP	\$6,390,000	98.4%
	AF		0.0%
	GB	\$105,000	1.6%
	PRG		0.0%

B. Existing Parks and Facilities: Community Parks				Unit	Quantity	Unit Cost	Subtotal
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ES	Phase*	Subsystem^	District	Elm Street Park				
ES	ST	CNP	3	Wayfinding/Signage; Site map kiosk	LS	1	\$10,000	\$10,000
ES	ST	GB	3	Bike repair station	EA	1	\$15,000	\$15,000
ES	LT	CNP	3	Playground replacement w/ PIP surface	LS	1	\$400,000	\$400,000
ES	MT	CNP	3	Fitness Stations (2-3)	LS	1	\$50,000	\$50,000
Subtotal:								\$475,000

1	1	2	1	1	0	0	1	7
2	2	4	1	1	0	0	0	10
0	2	4	1	0	0	3	2	12
0	3	5	2	0	0	0	0	10

ES								\$475,000
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EV	Phase*	Subsystem^	District	Evans Park				
EV	ST	AF	2	River Birch Tennis Center: Replace and upgrade court lights. Resurface courts if needed. Upgrade security lighting.	LS	1	\$500,000	\$500,000
EV	MT	GB	2	Unpaved hiking trail	LS	1	\$75,000	\$75,000
EV	LT	CNP	2	New small playground w/ EWF surface	LS	1	\$200,000	\$200,000
EV	ST	CNP	2	Tree plantings for parking lot	LS	1	\$25,000	\$25,000
Subtotal:								\$800,000

0	1	3	1	1	3	3	2	14
3	3	4	1	1	0	0	1	13
0	3	4	1	0	0	0	2	10
0	0	0	1	1	0	0	3	5

EV								\$800,000
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GT	Phase*	Subsystem^	District	Greenfield Terrace Park				
GT	MT	CNP	1	Restroom replacement; w/ 20x20 shelter	LS	1	\$450,000	\$450,000
GT	LT	AF	1	Multipurpose field; no lighting; additional paved parking; two sport courts; two (2) 20x20 shelters w/ picnic tables; canopy trees and landscaping	EA	1	\$935,000	\$935,000
GT	MT	GB	1	6 ft wide sidewalk into park and perimeter path on west side	LF	3300	\$35	\$115,500
				Subtotal:				\$1,500,500

0	3	5	2	1	1	3	1	16
0	4	5	2	1	2	0	2	16
4	4	4	2	1	0	0	0	15

GT								\$1,500,500
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JC	Phase*	Subsystem^	District	Jaycee Park				
JC	MT	AF	3	Install 8 pickleball courts with lighting and a restroom facility.	LS	1	\$1,000,000	\$1,000,000
JC	ST	PRG	3	Create entrance enhancements, expand art classrooms, add storage space, a conference room, and administrative offices.	LS	1	\$1,500,000	\$1,500,000
JC	ST	PRG	3	Public art/ murals	LS	1	\$10,000	\$10,000
JC	LT	CNP	3	Connect parking lots; resurface	LS	1	\$300,000	\$300,000
JC	LT	CNP	3	Playground replacement w/ PIP surface	LS	1	\$400,000	\$400,000
JC	LT	AF	3	Replace existing extreme park ramps with concrete skate and BMX park	LS	1	\$1,250,000	\$1,250,000
				Subtotal:				\$4,460,000

0	4	5	2	1	3	0	0	15
1	2	3	2	2	3	2	1	16
0	1	2	2	2	0	0	0	7
1	0	1	1	1	0	3	1	8
0	2	4	1	0	0	3	2	12
0	3	3	2	2	2	3	0	15

JC								\$4,460,000
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ML	Phase*	Subsystem^	District	Matthew Lewis Park				
ML	ST	CNP	1	New park sign and wayfinding	LS	1	\$20,000	\$20,000
ML	ST	GB	1	Unpaved hiking trail	LF	5000	\$15	\$75,000
ML	MT	CNP	1	Replace restroom facility	EA	1	\$400,000	\$400,000
ML	ST	CNP	1	Two (2) additional 20x20 shelters; picnic tables	EA	2	\$45,000	\$90,000
ML	LT	CNP	1	Playground replacement w/ EWF surface	LS	1	\$300,000	\$300,000
				Subtotal:				\$885,000

0	0	2	1	1	0	2	0	6
3	3	4	1	1	0	0	1	13
0	2	5	2	2	0	3	0	14
0	1	4	1	1	0	0	1	8
0	2	4	1	0	0	3	2	12

ML								\$885,000
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SG	Phase*	Subsystem^	District	South Greenville Park and Recreation Center				
SG	ST	CNP	2	Outdoor sport court/basketball court; not lighted	EA	1	\$60,000	\$60,000
SG	ST	CNP	2	Fitness Court	EA	1	\$175,000	\$175,000
SG	LT	PRG	2	Rec Center fitness equipment; renovation	LS	1	\$250,000	\$250,000
SG	LT	CNP	2	Replacement playground w/ PIP surface	EA	1	\$400,000	\$400,000
				Subtotal:				\$885,000

0	4	3	1	1	0	0	0	9
0	3	5	2	0	0	0	0	10
0	2	4	2	2	3	3	0	16
0	2	4	1	0	0	3	2	12

SG								\$885,000
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TF	Phase*	Subsystem^	District	Thomas Foreman Park				
TF	MT	AF	1	Regrade and resod the Baseball Field and improve field drainage	LS	1	\$350,000	\$350,000
TF	MT	CNP	1	Playground replacement; PIP surface	LS	1	\$350,000	\$350,000
TF	MT	CNP	1	Outdoor sport court/basketball court, lighted	EA	1	\$90,000	\$90,000
				Subtotal:				\$790,000

0	2	2	1	1	2	3	1	12
0	2	4	1	0	0	3	2	12
0	4	3	1	1	0	0	0	9

TF								\$790,000
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TC	Phase*	Subsystem^	District	Town Common				
TC	ST	WNP	1	Deferred infrastructure replacement: Replacement of 1,570 LF steel sheet pile bulkhead with a terraced system to promote connection to river, withstand flooding, and allow for boat docking.	LS	1	\$22,000,000	\$22,000,000
TC	MT	WNP	1	Construct First Street Promenade, add Green Room, Concession Stands, Amphitheater and Seating Improvements, and Removable Fencing System.	LS	1	\$10,200,000	\$10,200,000
TC	ST	GB	1	Blueway signage	LS	1	\$30,000	\$30,000
				Subtotal:				\$32,230,000

3	1	2	4	2	0	5	3	20
3	2	3	2	2	3	3	2	20
4	2	4	2	2	0	0	0	14

TC								\$32,230,000
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B. Existing Parks and Facilities: Community Parks				Subtotal				\$42,025,500
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By Phasing (unfunded)	Short-Term	\$24,510,000	58.3%
	Medium-Term	\$13,080,500	31.1%
	Long-Term	\$4,435,000	10.6%

By System Components	WNP	\$32,200,000	76.6%
	CNP	\$3,720,000	8.9%
	AF	\$4,035,000	9.6%
	GB	\$310,500	0.7%
	PRG	\$1,760,000	4.2%
Unit	Quantity	Unit Cost	Subtotal

C. Existing Parks and Facilities: Regional Parks

HB	Phase*	Subsystem^	District	H. Boyd Lee Park				
	MT	AF	5	Renovate detached restrooms and scorers tower. Address site drainage. Add shade structures over bleachers. Add a new detached restroom close to volleyball facility. Add a dedicated Lacrosse Field. Add facility lighting.	LS	1	\$1,500,000	\$1,500,000
HB	ST	CNP	5	Additional tree canopy	LS	1	\$25,000	\$25,000
HB	ST	GB	5	Additional unpaved trail	LS	1	\$100,000	\$100,000
HB	ST	CNP	5	Two 20x20 shelters; with picnic tables	EA	2	\$45,000	\$90,000
HB	MT	CNP	5	Site furnishing upgrades; benches, receptacles	LS	1	\$75,000	\$75,000
HB	MT	AF	5	Multipurpose Field (no lighting)	LS	1	\$450,000	\$450,000
HB	LT	CNP	5	Playground replacement w/ PIP surface	LS	1	\$450,000	\$450,000
				Subtotal:				\$2,690,000

0	3	4	2	2	3	2	1	17
0	0	0	1	1	0	0	3	5
3	3	4	1	1	0	0	1	13
0	1	4	1	1	0	0	1	8
0	1	4	1	1	0	2	0	9
0	3	4	1	1	2	0	1	12
0	2	4	1	0	0	3	2	12

HB **\$2,690,000**

RP	Phase*	Subsystem^	District	River Park North				
RP	MT	CNP	1	Playground replacement; themed w/ PIP surface	LS	1	\$500,000	\$500,000
RP	ST	GB	1	Fish cleaning area	LS	1	\$15,000	\$15,000
RP	ST	WNP	1	Park signage, wayfinding, and interpretative signage	LS	1	\$75,000	\$75,000
RP	MT	GB	1	Trailhead kiosk w/ map, bike repair station	LS	1	\$40,000	\$40,000
				Subtotal:				\$630,000

0	2	4	1	0	0	3	2	12
0	1	1	1	1	0	0	0	4
0	2	2	1	0	2	0	0	7
3	4	5	2	1	0	0	1	16

RP **\$630,000**

WW	Phase*	Subsystem^	District	Wildwood Park				
WW	ST	GB	1	Boardwalk to connect Wildwood Park to River Park North and Pedestrian Bridge to Complete Wildwood Park West Trail Loop	LS	1	\$3,500,000	\$3,500,000
WW	MT	CNP	1	New small natural play feature	LS	1	\$200,000	\$200,000
WW	LT	WNP	1	Infrastructure on west side of park	LS	1	\$1,500,000	\$1,500,000
				Subtotal:				\$5,200,000

5	3	5	2	2	0	0	0	17
0	2	4	1	0	0	3	2	12
0	0	0	1	1	0	1	0	3

WW **\$5,200,000**

C. Existing Parks and Facilities: Regional Parks

Subtotal **\$8,520,000**

By Phasing (unfunded)	Short-Term	\$3,805,000	44.7%
	Medium-Term	\$2,765,000	32.5%
	Long-Term	\$1,950,000	22.9%
By System Components	WNP	\$1,575,000	18.5%
	CNP	\$1,340,000	15.7%
	AF	\$1,950,000	22.9%
	GB	\$3,655,000	42.9%
	PRG		0.0%



D. Existing Parks and Facilities: Sports/Facilities

				Unit	Quantity	Unit Cost	Subtotal
GC	Phase*	Subsystem^	District	Bradford Creek Public Golf Course			
GC			3	n/a	SF	\$0	\$0
				Subtotal:			\$0
GC							\$0
SC	Phase*	Subsystem^	District	Bradford Creek Soccer Complex			
SC	ST	AF	3	Field Lighting (full-size soccer) for three fields; acquisition of currently leased parcel used for overflow parking	EA	3	\$300,000
SC	ST	AF	3	ADA path; 6 ft wide	LF	500	\$35
SC	MT	CNP	3	Small playground; EWF surface	EA	1	\$100,000
SC	MT	AF	3	Sod replacement; subgrade drainage tile	EA	5	\$250,000
				Subtotal:			\$2,367,500
SC							\$2,367,500
AQ	Phase*	Subsystem^	District	Greenville Aquatics and Fitness Center			
AQ	ST	PRG	1	Facility renovation; fitness and strength equipment replacement, flooring replacement for fitness, gym flooring and rubber multi-purpose flooring	LS	1	\$500,000
AQ	ST	AF	1	Pool renovations to include replaster the pool, replace the sand filter, paint pool area, replace drain covers	LS	1	\$250,000
				Subtotal:			\$750,000
AQ							\$750,000
GY	Phase*	Subsystem^	District	Guy Smith Park			
GY	ST	AF	2	Picnic Tables	LS	1	\$15,000
GY	ST	AF	2	Sports Court/basketball court, no lighting	EA	1	\$60,000
GY	MT	AF	2	Stabilized grass overflow parking (former pool site)	LS	1	\$100,000
				Subtotal:			\$175,000
GY							\$175,000
PK	Phase*	Subsystem^	District	Perkins Athletic Complex			
PK	ST	AF	4	Sports Connection: Batting cage area replacement/upgrade of pitching machines and netting.	LS	1	\$200,000
PK	ST	AF	4	ADA path from 14th St. to ballfields; 6 ft width	LF	850	\$35
PK	ST	AF	4	Additional overflow parking	LS	1	\$150,000
				Subtotal:			\$379,750
PK							\$379,750
D. Existing Parks and Facilities: Sports/Facilities				Subtotal			\$3,672,250

0	2	4	2	1	3	0	1	13
2	2	5	3	3	0	0	1	16
0	2	4	1	0	0	3	2	12
0	1	3	1	1	3	3	1	13

0	2	5	2	1	3	3	0	16
0	2	5	1	1	3	3	0	15

0	2	4	1	1	0	0	0	8
0	4	3	1	1	0	0	0	9
2	1	2	1	1	0	0	0	7

0	3	5	2	2	3	2	0	17
2	2	5	3	3	0	0	1	16
2	1	2	1	1	0	0	0	7

D. Existing Parks and Facilities: Sports/Facilities

By Phasing (unfunded)	Short-Term	\$2,222,250	60.5%
	Medium-Term	\$1,450,000	39.5%
	Long-Term		0.0%
By System Components	WNP	\$0	0.0%
	CNP	\$100,000	2.7%
	AF	\$3,072,250	83.7%
	GB	\$0	0.0%
	PRG	\$500,000	13.6%

Existing Parks and Facilities:

Total		\$60,712,750	
By Phasing (unfunded)	Short-Term	\$32,902,250	54.2%
	Medium-Term	\$19,925,500	32.8%
	Long-Term	\$7,885,000	13.0%
By System Components	WNP	\$33,775,000	55.6%
	CNP	\$11,550,000	19.0%
	AF	\$9,057,250	14.9%
	GB	\$4,070,500	6.7%
	PRG	\$2,260,000	3.7%
Council Districts	1	\$43,435,500	71.5%
	2	\$3,785,000	6.2%
	3	\$9,067,500	14.9%
	4	\$379,750	0.6%
	5	\$4,045,000	6.7%

				Unit	Quantity	Unit Cost	Subtotal
F. New Parks and Facilities							
MP			Future Mini Parks				
MP			Park Improvements				
MP			Picnic shelter	EA	1	\$35,000	\$35,000
MP			Playground w/ EWF surface	EA	1	\$200,000	\$200,000
MP			Sport court/half basketball court	LS	1	\$60,000	\$60,000
MP			Landscape	LS	1	\$75,000	\$75,000
MP			Sidewalk and access points	LS	1	\$35,000	\$35,000
MP			Site furnishings	LS	1	\$50,000	\$50,000
MP			Wayfinding and Signage	LS	1	\$15,000	\$15,000
MP			Site Prep and Utilities	LS	1	\$100,000	\$100,000
MP			Planning, Design and Permitting	LS	1	\$75,000	\$75,000
MP			Subtotal:				\$645,000
MP			Acquisition				
MP			1/4-1 acre lots - 4 sites	LS	1	\$100,000	\$100,000
MP			Subtotal:				\$100,000

Prototypical Mini Park **\$745,000**

MP	Phase*	Subsystem^	District	Future Mini Parks				
MP	ST	CNP	4	New Mini Park #1	LS	1		\$745,000
MP	ST	CNP	5	New Mini Park #2	LS	1		\$745,000
MP	MT	CNP	1	New Mini Park #3	LS	1		\$745,000
MP	MT	CNP	2	New Mini Park #4	LS	1		\$745,000
MP	MT	CNP	4	New Mini Park #5	LS	1		\$745,000
MP	MT	CNP	5	New Mini Park #6	LS	1		\$745,000
MP	LT	CNP	1	New Mini Park #7 & #8	LS	2		\$1,490,000
MP	LT	CNP	2	New Mini Park #9	LS	1		\$745,000
MP	LT	CNP	4	New Mini Park #10 & 11	LS	2		\$1,490,000
MP	LT	CNP	5	New Mini Park #12 & 13	LS	2		\$1,490,000
Proposed Mini Parks								\$9,685,000

0	5	5	2	1	0	0	1	14
0	5	5	2	1	0	0	1	14
0	4	5	2	1	0	0	1	13
0	4	5	2	1	0	0	1	13
0	5	5	2	1	0	0	1	14
0	5	5	2	1	0	0	1	14
0	3	5	2	1	0	0	1	12
0	4	5	2	1	0	0	1	13
0	5	5	2	1	0	0	1	14
0	5	5	2	1	0	0	1	14

NP			Future Neighborhood Parks				
NP			Park Improvements				
NP			Picnic shelter	EA	2	\$35,000	\$70,000
NP			Playground w/ EWF surface	EA	1	\$350,000	\$350,000
NP			Sport court, lighted	LS	1	\$100,000	\$100,000
NP			Athletic Field - Multipurpose with back stop	EA	1	\$500,000	\$500,000
NP			Parking	LS	1	\$250,000	\$250,000
NP			Restrooms	SF	1000	\$450	\$450,000
NP			Fitness court/stations	LS	1	\$175,000	\$175,000
NP			Landscape	LS	1	\$50,000	\$50,000
NP			Sidewalk and access points	LS	1	\$60,000	\$60,000
NP			Site furnishings	LS	1	\$50,000	\$50,000
NP			Wayfinding and Signage	LS	1	\$25,000	\$25,000
NP			Site Prep and Utilities	LS	1	\$200,000	\$200,000
NP			Planning, Design and Permitting	LS	1	\$300,000	\$300,000
NP			Subtotal:				\$2,580,000
NP			Acquisition				
NP			3-5 acres, each	LS	1	\$500,000	\$500,000
NP			Subtotal:				\$500,000

Prototypical Neighborhood Park **\$3,080,000**

NP	Phase*	Subsystem^	District	Future Neighborhood Parks				
NP	ST	CNP	2	New Neighborhood Park #1	LS	1		\$3,080,000
NP	ST	CNP	4	New Neighborhood Park #2	LS	1		\$3,080,000
NP	MT	CNP	5	New Neighborhood Park #3	LS	1		\$3,080,000
NP	LT	CNP	1	New Neighborhood Park #4	LS	1		\$3,080,000
NP	LT	CNP	4	New Neighborhood Park #5	LS	1		\$3,080,000
NP	LT	CNP	5	New Neighborhood Park #6	LS	1		\$3,080,000
Proposed Neighborhood Parks								\$18,480,000

0	4	5	2	1	0	0	1	13
0	5	5	2	1	0	0	1	14
0	5	5	2	1	0	0	1	14
0	3	5	2	1	0	0	1	12
0	5	5	2	1	0	0	1	14
0	5	5	2	1	0	0	1	14

SR	Phase*	Subsystem^	District	Staton Road Park				
SR	LT	CNP	1	Develop initial park amenities to include a shelter, playground with EWF surface, parking and open lawn. Includes planning, design and permitting.	LS	1	\$556,250	\$556,250
Subtotal:								\$556,250

\$556,250

0	3	5	2	2	0	0	1	13
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ES	Phase*	Subsystem^	District	Eastside Park					
ES	MT	WNP	3	Construct a playground and an off-leash dog park with signage and lighting; gravel parking, park signage, pedestrian and vehicle access into park; utilities; 15% A&E, permitting	LS	1	\$1,725,000	\$1,983,750	2 3 4 2 2 0 0 1 14
	LT	WNP	3	Phase 2: Multipurpose field, walking paths, restroom, two (2) shelters w/ picnic tables, wayfinding, nature/discovery play feature; 15% A&E, permitting	LS	1	\$2,926,750	\$4,390,125	2 3 4 2 2 1 0 2 16
ES	LT	WNP	3	Phase 3: Paved and unpaved trails; trailhead, kayak launch, parking; maintenance facility, 15% A&E, permitting	LS	1	\$1,437,500	\$1,653,125	4 3 5 3 2 0 0 1 18
ES	LT	WNP	3	Phase 4: Disc golf, additional paved/unpaved trails, mountain biking trails, additional signage/wayfinding, 15% A&E, permitting	LS	1	\$862,500	\$991,875	3 3 5 2 2 0 0 1 16
ES			3	Subtotal:				\$9,018,875	
									\$9,018,875

RP	Phase*	Subsystem^	District	Phil Carroll Nature Preserve					
RP	MT	WNP	1	Construct a nature themed play feature; gravel parking, park signage; utilities, two shelters, restrooms, unpaved hiking trails 15% A&E, permitting	LS	1	\$2,087,250	\$2,087,250	2 4 5 2 2 0 0 1 16
	LT	WNP	1	Phase 2: paved parking, paved and unpaved trails; trailhead, kayak launch, parking; maintenance facility, 15% A&E, permitting	LS	1	\$1,897,500	\$1,897,500	4 4 5 2 2 0 0 1 18
RP				Subtotal:				\$3,984,750	
									\$3,984,750

PT	Phase*	Subsystem^	District	Port Terminal (City-Owned Land)					
PT	LT	WNP	3	Phase 1: unpaved parking, unpaved hiking trails; trailhead, wayfinding/signage, 15% A&E, permitting	LS	1	\$345,000	\$345,000	4 3 5 2 2 0 0 1 17
				Subtotal:				\$345,000	
									\$345,000

GW	Phase*	Subsystem^	District	New Greenway Trails					
Greenway Trail Improvements									
GW	MT	GB	2	1.5 miles of greenway trails	MI	1.5	\$1,500,000	\$2,587,500	5 4 5 3 3 0 0 0 20
GW	MT	GB	5	1.5 miles of greenway trails	MI	1.5	\$1,500,000	\$2,587,500	5 5 5 3 3 0 0 0 21
GW	LT	GB	2	1.0 mile of greenway trails	MI	1	\$1,500,000	\$1,725,000	5 4 5 3 3 0 0 0 20
GW	LT	GB	5	1.0 mile of greenway trails	MI	1	\$1,500,000	\$1,725,000	5 5 5 3 3 0 0 0 21
GW	LT	GB	1	1.5 miles of greenway trails	MI	1.5	\$1,500,000	\$2,587,500	5 4 5 3 3 0 0 0 20
GW	LT	GB	4	1.5 miles of greenway trails	MI	1.5	\$1,500,000	\$2,587,500	5 5 5 3 3 0 0 0 21
GW				Subtotal:		8		\$13,800,000	
Proposed Greenway Trails									\$13,800,000

F. New Parks and Facilities				Subtotal	
By Phasing					
				Short-Term	\$7,650,000 13.7%
				Medium-Term	\$15,306,000 27.4%
				Long-Term	\$32,913,875 58.9%
By Type of Project					
				Undeveloped (City Owned)	\$13,904,875 24.9%
				Acquisitions	\$4,300,000 7.7%
				Proposed Park Development	\$23,865,000 42.7%
				Proposed Greenway	\$13,800,000 24.7%
By System Components					
				WNP	\$13,348,625 23.9%
				CNP	\$28,721,250 51.4%
				AF	0.0%
				GB	\$13,800,000 24.7%
				PRG	0.0%
Council Districts					
				1	\$12,443,500 22.3%
				2	\$8,882,500 15.9%
				3	\$9,363,875 16.8%
				4	\$11,727,500 21.0%
				5	\$13,452,500 24.1%

PROPOSED CAPITAL PROJECTS TOTAL				TOTAL	
By Phasing					
				Short-Term	\$40,552,250 34.8%
				Medium-Term	\$35,231,500 30.2%
				Long-Term	\$40,798,875 35.0%
By System Components					
				WNP	\$47,123,625 40.4%
				CNP	\$40,271,250 34.5%
				AF	\$9,057,250 7.8%
				GB	\$17,870,500 15.3%
				PRG	\$2,260,000 1.9%
Council Districts					
				1	\$55,879,000 47.9%
				2	\$12,667,500 10.9%
				3	\$18,431,375 15.8%
				4	\$12,107,250 10.4%
				5	\$17,497,500 15.0%



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City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Budget Ordinance Amendment #9 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), the Special Revenue Grant Fund (Ordinance #11-003), and the Capital Projects Funds (Ordinance #17-024)

Explanation: Attached for consideration at the May 8, 2023 City Council meeting is an ordinance amending the 2022-2023 City of Greenville Budget (Ordinance #22-045), the Special Revenue Grant Fund (Ordinance #11-003), the Capital Projects Funds (Ordinance #17-024),

For ease of reference, a footnote has been added to each line item of the Budget Ordinance Amendment, which corresponds to the explanation below:

<u>Item</u>	<u>Justification</u>	<u>Funds</u>	<u>Net</u>
		<u>Amended</u>	<u>Adjustment</u>
A	To recognize funding received for the Energy Efficient Conservation Block Grant (EECBG)	Special Revenue Grant	\$146,850
B	To redirect radio maintenance funds in the General Fund to the Public Safety Radio Equipment project	General Fire/Rescue Capital Project	\$98,649
C	To recognize funding received from Governor's Crime Commission Grant 2023	Special Revenue Grant	\$22,900

D	To allocate funding from the General Fund, Transit, Sanitation and Stormwater to manage increased Fleet costs in the current fiscal year.	General Sanitation Stormwater	\$907,476
E	To reduce total grant amount for COVID-19 funding received from CARES Act Funding	Special Revenue Grant	<33,595>
F	To recognize funding received for Arlington Trace Project	Housing	5,000,000

Fiscal Note:

The Budget Ordinance Amendment affects the following funds:

<u>Fund</u>	<u>2022-23 Revised Budget</u>	<u>Amendment #9</u>	<u>2022-23 Budget per Amendment #9</u>
General	\$99,824,451	\$504,557	\$99,824,451
Debt Service	6,322,622	-	6,322,622
Public Transportation (Transit)	4,199,872	-	4,199,872
Capital Reserve	1,250,000	-	1,250,000
Fleet Maintenance	5,875,142	907,476	6,782,618
Sanitation	8,513,983	250,010	8,763,993
Stormwater	10,963,969	55,175	11,019,144
Housing	1,981,972	5,000,000	6,981,972
Health Insurance	14,258,648	-	14,258,648
Vehicle Replacement	10,645,862	-	10,645,862
Facilities Improvement	2,391,874	-	2,391,874
Special Revenue Grants	13,923,748	203,345	14,127,093
Public Works Capital Projects	58,993,491	-	58,993,491
Recreation & Parks Capital Projects	16,899,008	-	16,899,008
Community Development Capital Projects	19,404,227	-	19,404,227
Red Light Camera Program	1,800,000	-	1,800,000
Engineering Capital Projects	56,971,028	-	56,971,028
Occupancy Tax	4,096,128	-	4,096,128

Fire/Rescue Capital Projects	14,148,582	<1,055,405>	13,093,177
Greenways Capital Projects	6,627,014	-	6,627,014
ARPA Fund	24,689,311	-	24,689,311

Recommendation: Approve Budget Ordinance Amendment #9 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), the Special Revenue Grant Fund (Ordinance #11-003), and the Capital Projects Funds (Ordinance #17-024).

ATTACHMENTS

 [BA_9.xlsx](#)

ORDINANCE NO. 23-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#8) Amending the 2022-23 Budget (Ordinance #22-045), the Special Revenue
Grant Fund (Ordinance #11-003), and the Capital Projects Funds (Ordinance #17-024).

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

Budget Amendment #9						
	2022-23 Revised Budget	B.	D.	Total Amend #9		2022-23 Budget per Amend #9
ESTIMATED REVENUES						
Property Tax	\$ 38,030,400	\$ -	\$ -	\$ -	\$	38,030,400
Sales Tax	26,968,346	-	-	-		26,968,346
Video Prog. & Telecom. Service Tax	793,717	-	-	-		793,717
Rental Vehicle Gross Receipts	176,125	-	-	-		176,125
Utilities Franchise Tax	6,828,328	-	-	-		6,828,328
Motor Vehicle Tax	1,746,059	-	-	-		1,746,059
Other Unrestricted Intergov't	871,145	-	-	-		871,145
Powell Bill	2,123,924	-	-	-		2,123,924
Restricted Intergov't Revenues	902,799	-	-	-		902,799
Licenses, Permits and Fees	4,541,722	-	-	-		4,541,722
Rescue Service Transport	3,260,000	-	-	-		3,260,000
Parking Violation Penalties, Leases,	275,000	-	-	-		275,000
Other Sales & Services	378,697	-	-	-		378,697
Other Revenues	1,068,405	-	-	-		1,068,405
Interest on Investments	742,690	-	-	-		742,690
Transfers In GUC	7,074,328	-	-	-		7,074,328
Appropriated Fund Balance	4,042,766	-	504,557	504,557		4,547,323
Total Revenues	<u>\$ 99,824,451</u>	<u>\$ -</u>	<u>\$ 504,557</u>	<u>\$ 504,557</u>		<u>\$ 100,329,008</u>
APPROPRIATIONS						
Mayor/City Council	\$ 523,950	\$ -	\$ -	\$ -	\$	523,950
City Manager	3,300,293	-	-	-		3,300,293
City Clerk	386,025	-	-	-		386,025
City Attorney	688,487	-	-	-		688,487
Human Resources	3,404,624	-	-	-		3,404,624
Information Technology	3,691,673	-	-	-		3,691,673
Engineering	5,521,549	-	-	-		5,521,549
Fire/Rescue	17,913,967	(133,649)	-	(133,649)		17,780,318
Financial Services	2,946,029	-	-	-		2,946,029
Recreation & Parks	8,551,896	-	-	-		8,551,896
Police	29,327,991	35,000	-	35,000		29,362,991
Public Works	6,585,461	-	-	-		6,585,461
Planning & Development	3,486,786	-	-	-		3,486,786
OPEB	700,000	-	-	-		700,000
Capital Improvements	-	-	-	-		-
Contingency	12,766	-	-	-		12,766
Indirect Cost Reimbursement	(1,950,887)	-	-	-		(1,950,887)
Total Appropriations	<u>\$ 85,090,610</u>	<u>\$ (98,649)</u>	<u>\$ -</u>	<u>\$ (98,649)</u>		<u>\$ 84,991,961</u>
OTHER FINANCING SOURCES						
Transfers to Other Funds	\$ 14,733,841	\$ 98,649	\$ 504,557	\$ 603,206	\$	15,337,047
Total Other Financing Sources	<u>\$ 14,733,841</u>	<u>\$ 98,649</u>	<u>\$ 504,557</u>	<u>\$ 603,206</u>		<u>\$ 15,337,047</u>
Total Approp & Other Fin Sources	<u>\$ 99,824,451</u>	<u>\$ -</u>	<u>\$ 504,557</u>	<u>\$ 504,557</u>		<u>\$ 100,329,008</u>

Section II: Estimated Revenues and Appropriations. Sanitation Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	D.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES				
Refuse Fees	\$ 8,133,180	\$ -	\$ -	\$ 8,133,180
Cart and Dumpster	158,000	-	-	158,000
Other Revenues	96,300	-	-	96,300
Appropriated Fund Balance	126,503	250,010	250,010	376,513
Total Revenues	<u>\$ 8,513,983</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 8,763,993</u>
APPROPRIATIONS				
Sanitation Service	\$ 8,513,983	\$ 250,010	\$ 250,010	\$ 8,763,993
Total Appropriations	<u>\$ 8,513,983</u>	<u>\$ 250,010</u>	<u>\$ 250,010</u>	<u>\$ 8,763,993</u>

Section III: Estimated Revenues and Appropriations. Fire/Rescue Capital Project Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	B.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES				
Debt Proceeds	\$ 10,448,582	\$ (1,154,054)	\$ (1,154,054)	\$ 9,294,528
Special Fed/State/Loc Grant	3,000,000	-	-	3,000,000
Transfer from General Fund	220,000	98,649	98,649	318,649
Sale of Property	480,000	-	-	480,000
Total Revenues	<u>\$ 14,148,582</u>	<u>\$ (1,055,405)</u>	<u>\$ (1,055,405)</u>	<u>\$ 13,093,177</u>
APPROPRIATIONS				
Fire Station #7	\$ 6,766,143	\$ -	\$ -	\$ 6,766,143
Fire Station # 1 Bay Extension	728,385	-	-	728,385
F/R Communications Equipment	1,154,054	(1,055,405)	(1,055,405)	98,649
Public Safety Comm. Equipment	5,500,000	-	-	5,500,000
Total Appropriations	<u>\$ 14,148,582</u>	<u>\$ (1,055,405)</u>	<u>\$ (1,055,405)</u>	<u>\$ 13,093,177</u>

Section IV: Estimated Revenues and Appropriations. Special Revenue Grant Fund, of Ordinance #11-003 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	A.	C.	E.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES						
Special Fed/State/Loc Grant	\$ 10,681,337	\$ 146,850	\$ 22,900	\$ -	\$ 169,750	\$ 10,851,087
CARES Act Funding	1,594,927	-	-	(33,595)	(33,595)	1,561,332
Transfer From General Fund	1,512,170	-	-	-	-	1,512,170
Transfer From Pre-1994 Entitlement	27,419	-	-	-	-	27,419
Transfer from Other Funds	107,895	-	-	-	-	107,895
Total Revenues	<u>\$ 13,923,748</u>	<u>\$ 146,850</u>	<u>\$ 22,900</u>	<u>\$ (33,595)</u>	<u>\$ 136,155</u>	<u>\$ 14,059,903</u>
APPROPRIATIONS						
Personnel	\$ 2,295,650	\$ -	\$ -	\$ -	\$ -	\$ 2,295,650
Operating	5,927,674	-	-	-	-	5,927,674
Capital Outlay	2,006,385	-	-	-	-	2,006,385
Transfers	27,419	-	-	-	-	27,419
COVID-19	1,560,518	-	-	(33,595)	(33,595)	1,526,923
Rural Housing Recovery Grant	350,000	-	-	-	-	350,000
Environmental Enhancement Grant	150,935	-	-	-	-	150,935
STAR Grant	330,000	-	-	-	-	330,000
Governor's Crime Commission Grant 22	24,500	-	-	-	-	24,500
Governor's Crime Commission Grant 23	-	-	22,900	-	22,900	22,900
COPS Community Policing Development	175,000	-	-	-	-	175,000
Justice Assistance Grant 2022	55,135	-	-	-	-	55,135
Project Lucky - Job Creation Grant	100,000	-	-	-	-	100,000
Opioid Settlement Trust	45,532	-	-	-	-	45,532
Energy Efficient Conservation Block Grant	-	146,850	-	-	146,850	146,850
Transfer to Other Funds	875,000	-	-	-	-	875,000
Total Appropriations	<u>\$ 13,923,748</u>	<u>\$ 146,850</u>	<u>\$ 22,900</u>	<u>\$ (33,595)</u>	<u>\$ 136,155</u>	<u>\$ 14,059,903</u>

Section V: Estimated Revenues and Appropriations. Stormwater Management Utility Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	D.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES				
Utility Fee	\$ 8,535,490	\$ -	\$ -	\$ 8,535,490
Appropriated Fund Balance	2,428,479	55,175	55,175	2,483,654
Total Revenues	<u>\$ 10,963,969</u>	<u>\$ 55,175</u>	<u>\$ 55,175</u>	<u>\$ 11,019,144</u>
APPROPRIATIONS				
Stormwater Management	\$ 9,967,869	\$ 55,175	\$ 55,175	\$ 10,023,044
Transfer to Public Works Capital Projects	996,100	-	-	996,100
Total Appropriations	<u>\$ 10,963,969</u>	<u>\$ 55,175</u>	<u>\$ 55,175</u>	<u>\$ 11,019,144</u>

Section VI: Estimated Revenues and Appropriations. Housing Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	F.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES				
CDBG Grant Income	\$ 975,355	\$ -	\$ -	\$ 975,355
HOME Grant Income	607,922	-	-	607,922
Transfer from General Fund	328,695	-	-	328,695
NC Tri-Party Grant	70,000	-	-	70,000
HUD Grant/Arlington Trace	-	5,000,000	5,000,000	5,000,000
Total Revenues	<u>\$ 1,981,972</u>	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 6,981,972</u>
APPROPRIATIONS				
Personnel	\$ 552,128	\$ -	\$ -	\$ 552,128
Operating	1,429,844	(1,000,000)	(1,000,000)	429,844
Arlington Trace Project	-	6,000,000	6,000,000	6,000,000
Total Appropriations	<u>\$ 1,981,972</u>	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 6,981,972</u>

Section VII: Estimated Revenues and Appropriations. Sanitation Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	D.	Total Amend #9	2022-23 Budget per Amend #9
ESTIMATED REVENUES				
Refuse Fees	\$ 8,133,180	\$ -	\$ -	\$ 8,133,180
Cart and Dumpster	158,000	-	-	158,000
Other Revenues	96,300	-	-	96,300
Appropriated Fund Balance	126,503	250,010	250,010	376,513
Total Revenues	<u>\$ 8,513,983</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 8,763,993</u>
APPROPRIATIONS				
Sanitation Service	\$ 8,513,983	\$ 250,010	\$ 250,010	\$ 8,763,993
Total Appropriations	<u>\$ 8,513,983</u>	<u>\$ 250,010</u>	<u>\$ 250,010</u>	<u>\$ 8,763,993</u>

Section VIII: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed:

Adopted this 8th day of May, 2023

P. J. Connelly, Mayor

ATTEST:

Valerie P. Shiuwegar, City Clerk



City of Greenville, North Carolina

Meeting Date: 05/08/2023

Title of Item: Presentation of the City of Greenville Fiscal Year 2023-24 Proposed Budget

Explanation: As included in the Council adopted budget calendar, the City Manager and staff will present the City of Greenville Proposed Fiscal Year 2023-24 Operating Budget during the May 8, 2023, City Council Meeting.

In compliance with Section 160A-148(5) of the North Carolina General Statutes, the City Council will hold a public hearing on Monday, June 5, and consider adopting the annual budget ordinance on Thursday, June 8.

In summary, the Proposed City Operating Budget for Fiscal Year 2022-23 stands at approximately \$160.5 million with the General Fund comprising approximately 63% of the total. The following is a breakdown of the Proposed Budget by Operating Fund:

General	\$ 101,510,765
Debt Service	6,863,409
Public Transportation (Transit)	3,703,887
Fleet Maintenance	6,279,940
Sanitation	9,248,904
Stormwater	11,833,273
Housing	1,975,598
Health Insurance	14,258,648
Vehicle Replacement	3,601,408
Facilities Improvement	1,200,000
TOTAL	\$ 160,475,832

The City Manager and staff will present an overview of the specific highlights of each fund's Proposed Budget at the May 8, 2023 Council meeting. During the May 11, 2023 City Council meeting, representatives from the Pitt-Greenville Convention and Visitors Authority, Sheppard Memorial Library, and Greenville Utilities Commission will present their proposed Fiscal Year 2023-24 budgets.

Fiscal Note: The final amount for the City's budget will be determined by City Council action at the June 8, 2023, City Council meeting.

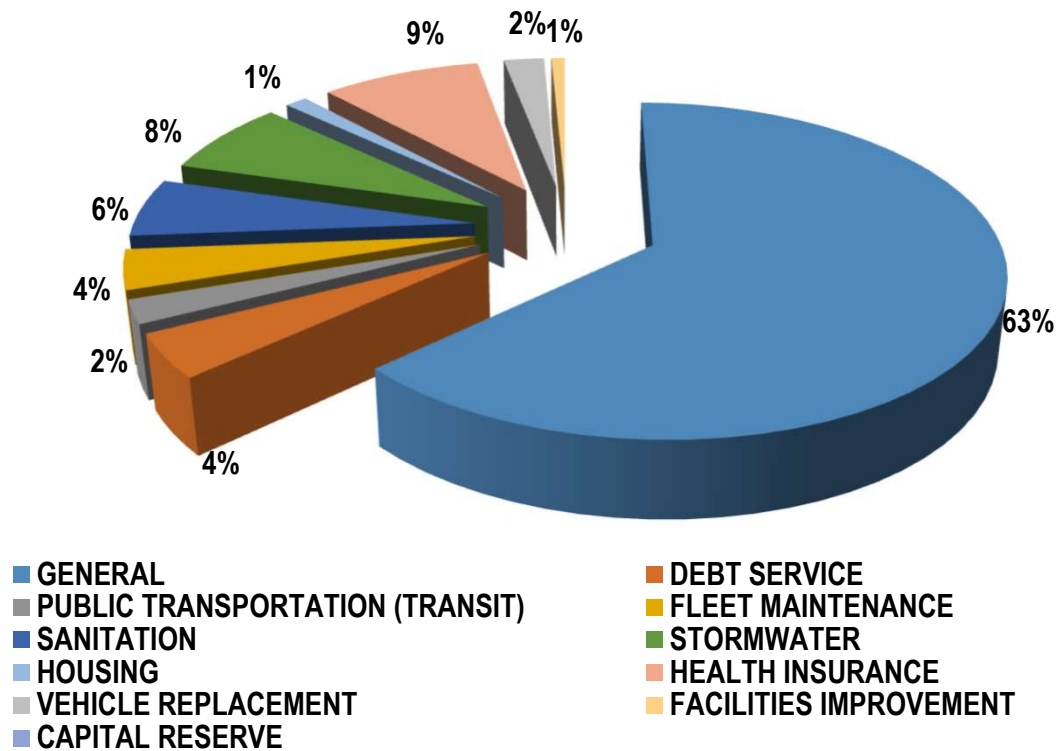
Recommendation: Receive the presentation on the Proposed Fiscal Year 2023-24 Operating Budget and provide feedback and direction.

ATTACHMENTS

 [FY24 Agenda Charts \(002\).pdf](#)

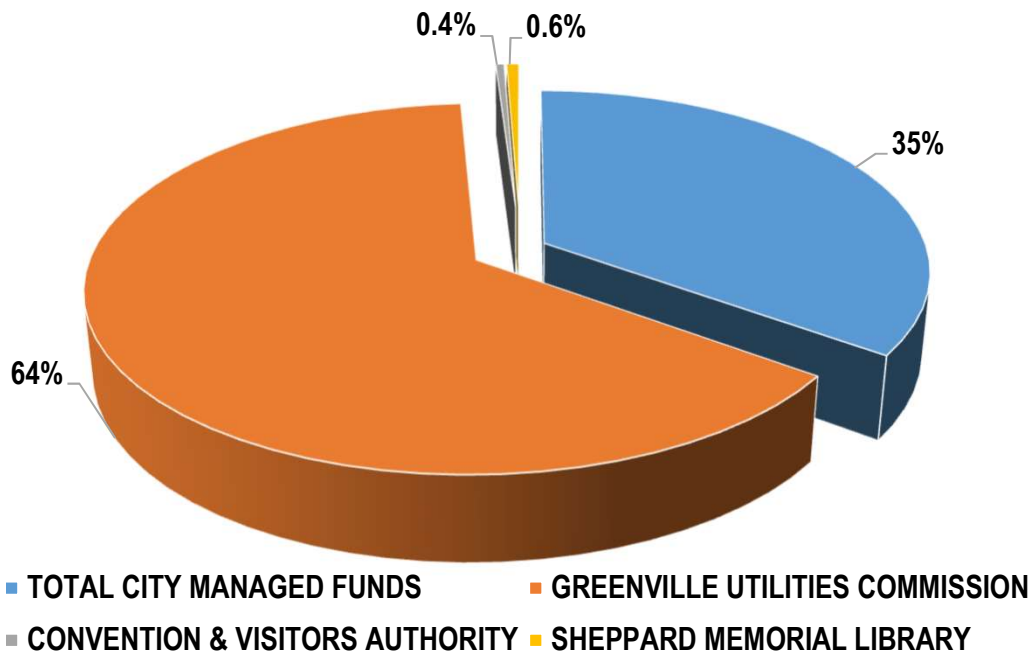
CITY MANAGED FUNDS FOR FISCAL YEAR 2024 BUDGET

FUND	2020 ORIGINAL	2021 ORIGINAL	2022 ORIGINAL	2023 ORIGINAL	2024 PROPOSED
GENERAL	\$ 85,687,681	\$ 81,014,084	\$ 89,677,021	\$ 95,165,572	\$ 101,510,765
DEBT SERVICE	5,559,881	5,943,531	6,971,244	6,322,622	6,863,409
PUBLIC TRANSPORTATION (TRANSIT)	3,288,032	3,230,676	3,264,114	3,485,714	3,703,887
FLEET MAINTENANCE	4,561,394	4,923,234	5,295,550	5,203,116	6,279,940
SANITATION	7,895,860	7,863,853	8,040,606	8,387,480	9,248,904
STORMWATER	7,368,459	7,559,820	8,760,601	8,535,490	11,833,273
HOUSING	1,733,500	1,852,166	1,884,784	2,054,247	1,975,598
HEALTH INSURANCE	14,003,384	13,757,908	14,258,648	14,009,056	14,258,648
VEHICLE REPLACEMENT	4,700,179	2,051,643	4,837,486	5,153,938	3,601,408
FACILITIES IMPROVEMENT	1,280,000	232,456	1,000,000	1,000,000	1,200,000
CAPITAL RESERVE	390,000	-	-	-	-
TOTAL CITY MANAGED FUNDS	\$ 136,468,370	\$ 128,429,371	\$ 143,990,054	\$ 149,317,235	\$ 160,475,832



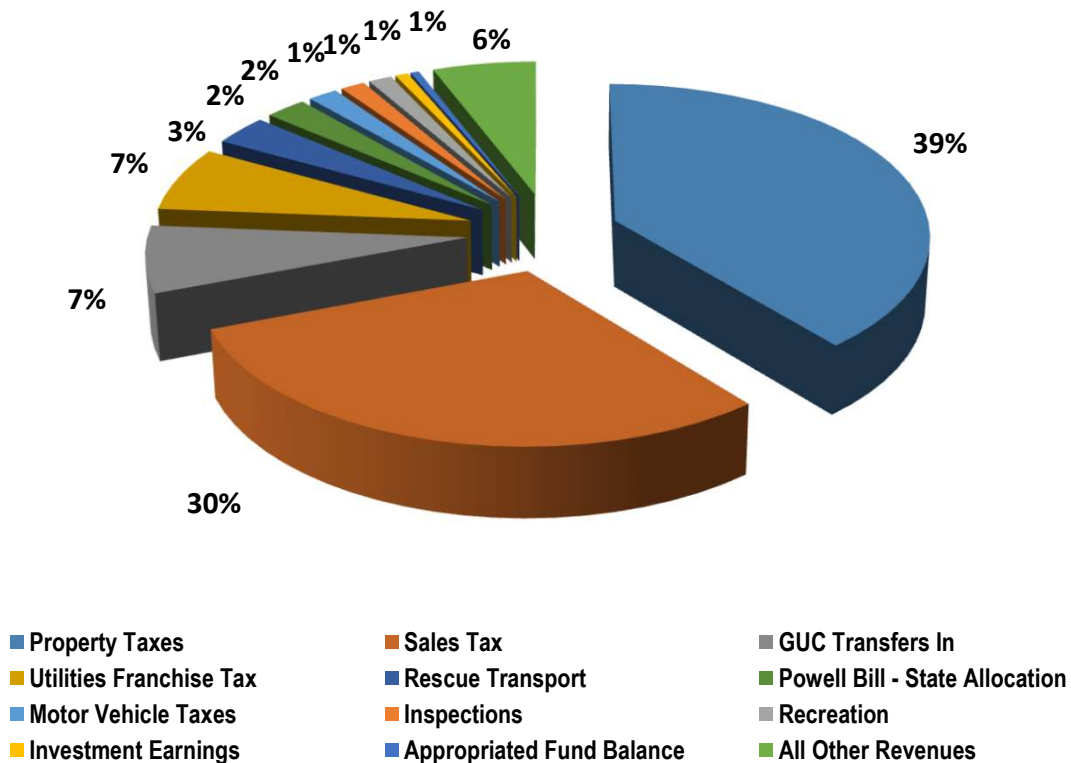
**BUDGET COMPARISON FOR CITY MANAGED FUNDS & INDEPENDENT AGENCIES
FOR FISCAL YEAR 2024 BUDGET**

FUND	2020 ORIGINAL	2021 ORIGINAL	2022 ORIGINAL	2023 ORIGINAL	2024 PROPOSED
GENERAL	\$ 85,687,681	\$ 81,014,084	\$ 89,677,021	\$ 95,165,572	\$ 101,510,765
DEBT SERVICE	5,559,881	5,943,531	6,971,244	6,322,622	6,863,409
PUBLIC TRANSPORTATION (TRANSIT)	3,288,032	3,230,676	3,264,114	3,485,714	3,703,887
FLEET MAINTENANCE	4,561,394	4,923,234	5,295,550	5,203,116	6,279,940
SANITATION	7,895,860	7,863,853	8,040,606	8,387,480	9,248,904
STORMWATER	7,368,459	7,559,820	8,760,601	8,535,490	11,833,273
HOUSING	1,733,500	1,852,166	1,884,784	1,931,466	1,975,598
HEALTH INSURANCE	14,003,384	13,757,908	14,258,648	14,258,648	14,258,648
VEHICLE REPLACEMENT	4,700,179	2,051,643	4,837,486	5,153,938	3,601,408
FACILITIES IMPROVEMENT	1,280,000	232,456	1,000,000	1,200,000	1,200,000
CAPITAL RESERVE	390,000	-	-	-	-
TOTAL CITY MANAGED FUNDS	\$ 136,468,370	\$ 128,429,371	\$ 143,990,054	\$ 149,644,046	\$ 160,475,832
GREENVILLE UTILITIES COMMISSION	\$ 252,540,844	\$ 270,491,838	\$ 265,529,278	\$ 287,798,503	\$ 294,532,670
CONVENTION & VISITORS AUTHORITY	1,599,082	1,330,371	1,375,450	1,674,358	1,894,317
SHEPPARD MEMORIAL LIBRARY	2,554,619	2,772,931	2,543,572	2,731,653	2,810,296
TOTAL INDEPENDENT AGENCIES	\$ 256,694,545	\$ 274,595,140	\$ 269,448,300	\$ 292,204,514	\$ 299,237,283
TOTAL ALL FUNDS	\$ 393,162,915	\$ 403,024,511	\$ 413,438,354	\$ 441,848,560	\$ 459,713,115



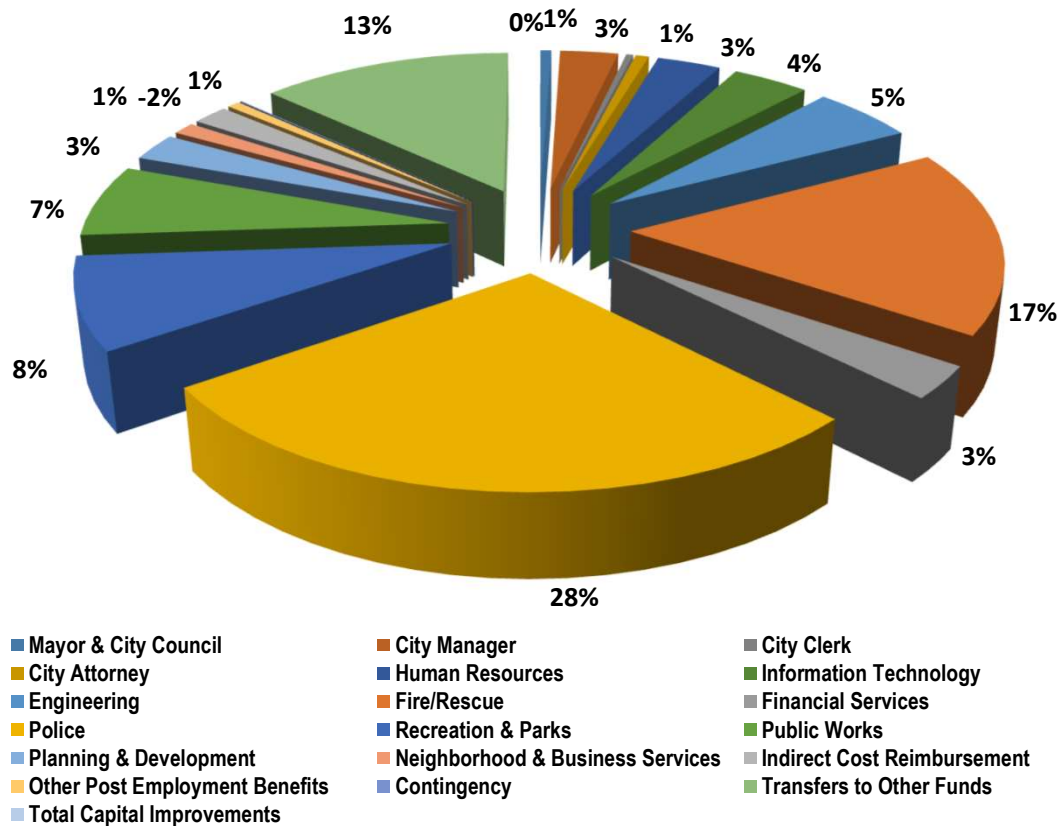
GENERAL FUND REVENUE SUMMARY

REVENUE SOURCE	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PROPERTY TAXES	\$ 34,250,807	\$ 36,325,825	\$ 37,445,803	\$ 38,030,400	\$ 39,689,205
SALES TAXES	20,465,509	24,555,870	27,248,610	26,935,346	30,587,976
GUC TRANSFERS IN	6,683,670	6,582,187	6,746,792	7,074,328	7,140,532
UTILITIES FRANCHISE TAX	6,832,754	6,612,710	6,625,128	6,828,328	6,896,611
RESCUE TRANSPORT	3,182,772	2,447,717	3,990,787	3,200,000	3,200,000
POWELL BILL - STATE ALLOCATION	2,174,190	2,124,843	2,390,611	2,123,924	2,390,610
MOTOR VEHICLE TAXES	1,577,823	1,713,410	1,675,940	1,746,059	1,705,845
INSPECTIONS	1,629,682	1,867,697	1,696,712	1,262,437	1,399,868
RECREATION	888,220	769,136	1,300,854	1,060,800	1,335,773
INVESTMENT EARNINGS	1,755,767	114,490	(1,006,916)	742,690	750,000
ALL OTHER REVENUES	7,402,954	6,707,962	6,725,217	6,011,260	5,914,345
SUBTOTAL	\$ 86,844,147	\$ 89,821,846	\$ 94,839,538	\$ 95,015,572	\$ 101,010,765
APPROPRIATED FUND BALANCE					
GENERAL FUND	-	-	-	150,000	500,000
POWELL BILL	-	-	-	-	-
TOTAL	\$ 86,844,147	\$ 89,821,846	\$ 94,839,538	\$ 95,165,572	\$ 101,510,765



GENERAL FUND EXPENSE BY DEPARTMENT

DEPARTMENT	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
MAYOR & CITY COUNCIL	\$ 587,162	\$ 400,938	\$ 521,459	\$ 503,926	\$ 606,254
CITY MANAGER	2,560,885	2,669,460	2,694,008	2,950,567	3,189,730
CITY CLERK	248,828	211,863	305,418	362,930	385,555
CITY ATTORNEY	490,874	566,882	643,118	686,116	730,320
HUMAN RESOURCES	3,171,448	3,028,197	3,134,129	4,383,855	3,491,983
INFORMATION TECHNOLOGY	3,191,909	2,824,369	3,055,009	3,533,373	4,207,039
ENGINEERING	4,222,826	4,698,588	4,686,423	5,021,147	5,615,199
FIRE/RESCUE	13,722,127	15,041,336	17,195,047	17,360,824	18,059,779
FINANCIAL SERVICES	2,486,777	2,688,484	2,768,888	2,844,749	3,132,994
POLICE	25,997,198	24,713,878	26,895,762	27,665,488	29,561,371
RECREATION & PARKS	7,184,198	6,541,020	7,227,702	7,905,239	8,915,004
PUBLIC WORKS	5,991,418	6,233,674	5,923,696	5,547,691	7,033,927
PLANNING & DEVELOPMENT	2,848,841	2,821,575	3,224,875	3,384,929	2,701,160
NEIGHBORHOOD & BUSINESS SERVICES	-	-	-	-	1,211,340
TOTAL BY DEPARTMENT	\$ 72,704,491	\$ 72,440,264	\$ 78,275,536	\$ 82,150,834	\$ 88,841,655
INDIRECT COST REIMBURSEMENT	\$ (1,369,019)	\$ (1,350,453)	\$ (1,350,453)	\$ (1,950,887)	\$ (1,950,887)
OTHER POST EMPLOYMENT BENEFITS	700,000	800,000	600,000	700,000	700,000
CONTINGENCY	-	-	-	100,000	100,000
TOTAL EXPENSES BY DEPARTMENT	\$ 72,035,472	\$ 71,889,811	\$ 77,525,083	\$ 80,999,947	\$ 87,690,768
TRANSFERS TO OTHER FUNDS	\$ 13,167,334	\$ 17,065,754	\$ 14,062,474	\$ 13,691,607	\$ 13,819,997
TOTAL CAPITAL IMPROVEMENTS	28,083	-	-	474,018	-
TOTAL GENERAL FUND	\$ 85,230,889	\$ 88,955,565	\$ 91,587,557	\$ 95,165,572	\$ 101,510,765



DEBT SERVICE FUND
FOR FISCAL YEAR 2024 BUDGET

The Debt Service Fund accounts for the payment of the City's debt. When payments are due, the General Fund transfers the needed funds into this fund for payment.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
OCCUPANCY TAX	\$ 813,723	\$ 783,890	\$ 646,455	\$ 684,958	\$ 659,651
TRANSFER FROM POWELL BILL	-	-	-	-	-
TRANSFER FROM GENERAL FUND	4,819,754	5,199,820	6,286,286	5,637,664	6,203,758
INVESTMENT EARNINGS	48,481	673	-	-	-
TOTAL	\$ 5,681,958	\$ 5,984,383	\$ 6,932,741	\$ 6,322,622	\$ 6,863,409

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PRINCIPAL PAYMENTS	\$ 4,444,501	\$ 4,341,468	\$ 4,157,530	\$ 4,169,339	\$ 5,237,917
INTEREST PAYMENTS	968,576	903,434	2,813,714	2,153,283	1,625,492
CLOSING COSTS	11,919	11,758	-	-	-
TRANSFERS OUT	-	1,203,510	-	-	-
TOTAL	\$ 5,424,996	\$ 6,460,170	\$ 6,971,244	\$ 6,322,622	\$ 6,863,409

**PUBLIC TRANSPORTATION (TRANSIT) FUND
FOR FISCAL YEAR 2024 BUDGET**

Planning activities remain approximately the same and are reimbursed at 80% from Federal funds. Federal operating funding remains at 50% of the total. Capital items and ADA service and preventative maintenance items requested are reimbursable at 80% Federal share.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
GRANT INCOME	\$ 1,563,374	\$ 2,288,331	\$ 2,383,899	\$ 2,391,820	\$ 2,584,993
BUS FARE/TICKET SALES	240,409	62,106	(4,542)	272,000	289,500
OTHER REVENUES	37,697	-	58,065	50,000	57,500
TRANSFER FROM GENERAL FUND	790,551	-	4,319	771,894	771,894
APPROPRIATED FUND BALANCE	-	-	-	-	-
TOTAL	\$ 2,632,031	\$ 2,350,437	\$ 2,441,741	\$ 3,485,714	\$ 3,703,887

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PERSONNEL	\$ 1,430,014	\$ 1,352,815	\$ 1,331,238	\$ 1,161,249	\$ 1,165,077
OPERATING	1,208,233	1,252,623	1,142,136	1,839,465	1,880,332
CAPITAL IMPROVEMENTS	365,001	318,509	470,548	485,000	658,478
OTHER	59,566	-	-	-	-
TOTAL	\$ 3,062,814	\$ 2,923,947	\$ 2,943,922	\$ 3,485,714	\$ 3,703,887

FLEET MAINTENANCE FUND FOR FISCAL YEAR 2024 BUDGET

The Fleet Maintenance Fund has been established as an internal service fund to account for charge-backs to the respective departments of the City for labor, fuel, and parts for items needed to maintain City vehicles. The creation of this fund will assist the City in more accurately reflecting the true costs of the vehicle maintenance by department.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
FUEL MARKUP	\$ 1,055,772	\$ 940,190	\$ 1,708,839	\$ 1,604,780	\$ 2,097,350
LABOR FEES	1,291,610	1,097,884	1,286,251	1,606,279	1,716,890
PARTS MARKUP	1,148,655	1,083,347	1,201,402	1,284,335	1,622,650
COMMERCIAL LABOR MARKUP	800,095	446,571	890,126	665,572	799,670
OTHER REVENUES	9,933	21,601	40,124	42,150	43,380
TRANSFER FROM GENERAL FUND	-	1,255,493	-	-	-
TOTAL	\$ 4,306,064	\$ 4,845,086	\$ 5,126,742	\$ 5,203,116	\$ 6,279,940

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PERSONNEL	\$ 1,607,747	\$ 1,546,838	\$ 1,596,358	\$ 1,652,142	\$ 1,888,156
OPERATING	2,915,803	2,771,487	3,781,423	3,515,974	4,327,584
CAPITAL OUTLAY	11,523	25,497	32,022	35,000	64,200
TRANSFER TO GENERAL FUND	-	-	-	-	-
OTHER	88,623	-	(89,704)	-	-
TOTAL	\$ 4,623,696	\$ 4,343,822	\$ 5,320,099	\$ 5,203,116	\$ 6,279,940

SANITATION FUND FOR FISCAL YEAR 2024 BUDGET

The Sanitation Fund is established to account for the user charges, fees, and all operating costs associated with the operation of the Sanitation Division operated through the Public Works Department of the City. The Sanitation Division offers comprehensive solid waste services such as garbage, recyclable, bulky trash, leaf collection, as well as mosquito and rodent control.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
REFUSE FEES	\$ 7,651,028	\$ 8,061,396	\$ 8,450,219	\$ 8,133,180	\$ 8,448,000
CART & DUMPSTER SALES	81,531	156,266	109,267	158,000	229,200
OTHER REVENUES	112,429	120,535	118,360	96,300	100,700
APPROPRIATED FUND BALANCE	-	-	-	-	471,004
TOTAL	\$ 7,844,989	\$ 8,338,196	\$ 8,677,846	\$ 8,387,480	\$ 9,248,904

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PERSONNEL	\$ 3,052,722	\$ 2,928,273	\$ 2,949,655	\$ 3,203,461	\$ 3,810,482
OPERATING	4,259,851	4,265,003	4,167,931	5,122,470	5,376,873
CAPITAL	-	-	-	-	-
DEBT SERVICE	-	165,066	-	61,549	61,549
TRANSFER TO VRF	250,000	-	-	-	-
OTHER	23,789	-	(279,304)	-	-
TOTAL	\$ 7,586,362	\$ 7,358,342	\$ 6,838,282	\$ 8,387,480	\$ 9,248,904

STORMWATER UTILITY FUND FOR FISCAL YEAR 2024 BUDGET

The Stormwater Utility Fund is an enterprise fund established to implement the City's Stormwater Management Program. Revenue for this program is generated through a Stormwater fee paid by citizens owning improved property with buildings, parking lots, driveways, etc. The Stormwater Management Program is implemented through the Public Works Department's Engineering and Street Maintenance Divisions. It is directed at compliance with Federal and State environmental regulations through the implementation of local development regulations, capital improvements, and storm drain maintenance.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
STORMWATER UTILITY FEE	\$ 6,102,419	\$ 6,131,625	\$ 7,383,251	\$ 8,535,490	\$ 9,652,814
OTHER REVENUE	211	-	493,002	-	-
TRANSFER FROM OTHER FUNDS	1,257,315	719,506	-	-	-
APPROPRIATED FUND BALANCE	-	-	-	-	2,180,459
TOTAL	\$ 7,359,945	\$ 6,851,131	\$ 7,876,253	\$ 8,535,490	\$ 11,833,273

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PERSONNEL	\$ 1,241,712	\$ 1,598,613	\$ 2,085,745	\$ 2,415,207	\$ 2,828,260
OPERATING	1,210,398	957,281	4,284,957	4,127,995	3,991,142
CAPITAL	1,083,835	1,064,579	897,289	260,232	1,630,000
OTHER	510,241	2,015,709	(2,058,590)	-	-
TRANSFER OUT	1,378,116	435,791	2,032,063	1,732,056	3,383,871
TOTAL	\$ 5,424,301	\$ 6,071,973	\$ 7,241,465	\$ 8,535,490	\$ 11,833,273

HOUSING FUND

FOR FISCAL YEAR 2024 BUDGET

The Housing Division administers US Department of Housing and Urban Development Community Development Block Grant Funds and Local Bond Funds. The funds are used to develop programs to serve low and moderate-income households. To this end, this fund is responsible for monitoring programs for compliance with local, state, and federal program standards. This fund also provides housing rehabilitation assistance to owner occupants, assistance to nonprofit agencies, down-payment assistance to homebuyers, acquisition and demolition of substandard structures, and program administrative funding.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
CDBG GRANT INCOME	\$ 1,298,947	\$ 1,041,671	\$ 1,531,537	\$ 1,037,668	\$ 1,037,668
HOME GRANT INCOME	496,597	818,883	194,014	565,103	565,103
TRANSFER FROM GENERAL FUND	319,125	328,695	328,695	328,695	372,827
TOTAL	\$ 2,114,669	\$ 2,189,249	\$ 2,054,247	\$ 1,931,466	\$ 1,975,598

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
PERSONNEL	\$ 452,814	\$ 383,526	\$ 439,970	\$ 552,128	\$ 552,128
OPERATING	1,620,933	1,334,359	1,619,548	1,379,338	1,423,470
CAPITAL	-	-	-	-	-
TOTAL	\$ 2,073,748	\$ 1,717,885	\$ 2,059,518	\$ 1,931,466	\$ 1,975,598

HEALTH FUND FOR FISCAL YEAR 2024 BUDGET

The Health Fund is used to account for the administration of the City's health insurance program.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
CITY CONTRIBUTION	\$ 7,038,404	\$ 11,844,463	\$ 11,630,700	\$ 11,043,959	\$ 11,043,959
OTHER AGENCIES	874,384	784,033	872,970	1,103,731	1,103,731
RETIREE CONTRIBUTIONS	1,507,013	1,406,606	1,502,000	1,327,544	1,327,544
OTHER REVENUES	1,000	3,392	146	4,246	4,246
INSURANCE COMPANY REFUND/REIMB	1,127,090	2,113	3,240	240,000	240,000
APPROPRIATED FUND BALANCE	-	-	-	539,168	539,168
TOTAL	\$ 10,547,891	\$ 14,040,605	\$ 14,009,056	\$ 14,258,648	\$ 14,258,648

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
CITY CLAIMS	\$ 10,143,149	\$ 10,129,446	\$ 11,245,290	\$ 12,128,284	\$ 12,128,284
LIBRARY CLAIMS	169,789	161,018	166,687	230,602	230,602
CVA CLAIMS	81,775	80,527	74,426	58,218	58,218
HOUSING AUTHORITY CLAIMS	516,846	478,909	487,409	896,878	896,878
AIRPORT CLAIMS	187,705	212,819	226,833	195,338	195,338
RETIREE CLAIMS	1,319,014	1,213,317	1,327,649	653,383	653,383
OTHER EXPENSES	317,971	88,511	73,828	95,945	95,945
TOTAL	\$ 12,736,248	\$ 12,364,548	\$ 13,602,122	\$ 14,258,648	\$ 14,258,648

VEHICLE REPLACEMENT FUND (VRF)
FOR FISCAL YEAR 2024 BUDGET

The Vehicle Replacement Fund accounts for monies to fund the City's capital budget, for the replacement of vehicles. All vehicles/equipment maintained by the Fleet Maintenance Division of the Public Works Department are considered under this fund. This fund minimizes fluctuations in the annual budget for vehicle expenditures and establishes a manageable replacement cycle.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
SALE OF PROPERTY	\$ 89,486	\$ 182,580	\$ 38,426	\$ -	\$ -
OTHER REVENUES	-	-	-	-	-
TRANSFER FROM CITY DEPARTMENTS	3,465,112	4,444,832	3,883,115	5,153,938	3,601,408
TRANSFER FROM GENERAL FUND	605,587	-	-	-	-
TRANSFER FROM SANITATION FUND	250,000	-	-	-	-
TOTAL	\$ 4,410,185	\$ 4,627,412	\$ 3,921,541	\$ 5,153,938	\$ 3,601,408

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
OPERATING	\$ (3,513,119)	\$ (1,335,898)	\$ 1,293,644	\$ -	\$ -
CAPITAL EQUIPMENT	3,513,120	4,235,275	1,869,625	5,153,938	3,601,408
DEPRECIATION	3,142,154	-	-	-	-
TOTAL	\$ 3,142,155	\$ 2,899,377	\$ 3,163,269	\$ 5,153,938	\$ 3,601,408

FACILITIES IMPROVEMENT FUND (FIP)
FOR FISCAL YEAR 2024 BUDGET

The Facilities Improvement Fund accounts for monies to fund deferred maintenance projects as outlined in the City's 10 Year Facilities Improvement Plan. The projects funded include facility operations projects that are overseen by the Public Works department as well as Parks and Recreation improvement projects that are overseen by the Parks and Recreation department. The fund was created back in fiscal year 2014-2015 through a \$0.01 increase in the ad valorem property tax rate. The fund receives funding through transfers from the General Fund in an amount needed to fund the annual budgeted projects.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ORIGINAL	2023 ORIGINAL	2024 PROPOSED
TRANSFER FROM GENERAL FUND	\$ 1,180,000	\$ 1,350,000	\$ 1,000,000	\$ 1,200,000	\$ 1,200,000
TRANSFER FROM CAPITAL RESERVE	140,487	-	-	-	-
MISCELLANEOUS REVENUE	-	-	-	-	-
TOTAL	\$ 1,320,487	\$ 1,350,000	\$ 1,000,000	\$ 1,200,000	\$ 1,200,000

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ORIGINAL	2023 ORIGINAL	2024 PROPOSED
CAPITAL IMPROVEMENT	\$ 1,874,983	\$ 1,791,667	\$ 1,000,000	\$ 1,200,000	\$ 1,200,000
OTHER EXPENSES	71,898	-	-	-	-
TOTAL	\$ 1,946,881	\$ 1,791,667	\$ 1,000,000	\$ 1,200,000	\$ 1,200,000

**CAPITAL RESERVE FUND
FOR FISCAL YEAR 2024 BUDGET**

Capital Reserve Fund is a fund established to set aside and appropriate current funding to future capital projects. Routinely, the Council has transferred unassigned fund balance from the General Fund above the 14% Fund Balance policy into the Capital Reserve Fund to fund specifically identified projects as approved by Council.

SUMMARY OF REVENUES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
INVESTMENT EARNINGS	\$ 367	\$ 55	\$ 1,919	\$ -	\$ -
TRANSFER FROM GENERAL FUND	806,882	2,205,587	-	-	-
APPROPRIATED FUND BALANCE	-	-	-	-	-
TOTAL	\$ 807,249	\$ 2,205,642	\$ 1,919	\$ -	\$ -

SUMMARY OF EXPENSES	2020 ACTUAL	2021 ACTUAL	2022 ACTUAL	2023 ORIGINAL	2024 PROPOSED
TRANSFER TO GENERAL FUND	\$ -	\$ 605,587	\$ -	\$ -	\$ -
TRANSFER TO CAPITAL PROJECT FUND	-	-	-	-	-
TRANSFER TO FACILITIES IMPROVEMENT	250,000	140,487	-	-	-
TRANSFER TO DICKINSON PARKING	-	-	-	-	-
INCREASE IN RESERVE	-	-	-	-	-
TOTAL	\$ 250,000	\$ 746,074	\$ -	\$ -	\$ -