

****DRAFT 9-26-11****

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ALLOW THE BOARD OF ALDERMEN TO APPROVE ADDITIONAL RESIDENTIAL DENSITY IN B-1(G)-CZ ZONING DISTRICTS SUBJECT TO THE INCLUSION OF CONDITIONS FOR SITE AND BUILDING ELEMENTS THAT WILL CREATE A MORE VIBRANT AND SUCCESSFUL COMMUNITY
THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:**

Section 1. Section 15-182 Residential Density, of the Land Use Ordinance is amended by the addition of a new subsection (i) that reads as follows:

(i) Notwithstanding the foregoing, density in the B-1(g) – CZ district shall be determined in accordance with the provisions of Section 15-141.4(f).

Section 2. Section 15-141.4, Conditional Zoning Districts, is hereby amended by the addition of a new subsection (f) that reads as follows:

(f) Notwithstanding the foregoing, the Board of Aldermen may approve a condition allowing additional residential density in B-1(g)-CZ districts subject to the inclusion of conditions that provide for site and building elements that will create a more vibrant and successful community.

Site and building elements are intended to be selected from at least three of the following seven areas, stormwater management, water conservation, energy conservation, on-site energy production, alternative transportation, minimum requirements for non-residential space as part of a project, and the provision of public art and/or provision of outdoor amenities for public use and may include, but shall not be limited to items listed below. In allowing additional residential density, the Board of Aldermen must determine that the conditions of the rezoning will create a vibrant and successful community to an extent significantly beyond that expected from typical development under the ordinance.

- (1) Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool
- (2) Energy performance in building requirements to meet one or more of the following
 - a. optimized energy performance criteria (20% better than ASHRAE) as recommended by the Planning Board
 - b. Achieve 40% better than required in the Model Energy Code, which for NC, Commercial is ASHRAE 90.1-2004-2006 IECC equivalent or better, and Residential is IECC 2006, equivalent or better) (The Planning Board recommends deletion of this element).
 - c. Designed to earn the “Energy Star rating. Energy Star is a program of the U.S. Environmental Protection Agency and the U.S. Department of Energy promoting and certifying energy efficient practices and products. (The Planning Board recommends deletion of this element.)
 - d. Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard as of 2010 and increasing to carbon neutrality by 2030, measured from the regional (or country) average for that building type.
 - e. AIA goals of integrated, energy performance design, including resource conservation resulting in a minimum 50 percent or greater reduction in the

consumption of fossil fuels used to construct and operate buildings as referenced in 50>>50, Version 1 (2007) or more recent)

- f. LEED certification to achieve 50% CO2 emission reduction, or LEED silver certification
- g. US Conference of Mayors: fossil fuel reduction standard for all new buildings to carbon neutral by 2030
 - i. Specific energy saving featuresAn explanation of the financial or operational reasons why a feature was not included is recommended.
 - i. Use of shading devices and high performance glass for minimizing heating and cooling loads
 - ii. Insulation beyond minimum standards;
 - iii. Use of energy efficient motors/HVAC;
 - iv. Use of energy efficient lighting;
 - v. Use of energy efficient appliances
 - vi. LED or LED/Solar parking lot lighting (50-100% more efficient). One recommended site with information is Active and passive solar features.

(3) Inclusion of onsite plug in for electric vehicle charging

(4) Provision of onsite facilities (e.g. solar, wind, geothermal) that will provide 5% of electricity demand associated with the project.

(5) Use of harvested rainwater for toilet flushing.

Parking lot meet the standard for a “green” parking lot, per the U.S. Environmental Protection Agency’s document *Green Parking Lot Resource Guide* (February 2008 or most recent

(7) Inclusion of L Low-impact development features. (The Planning Board recommends spelling out “Low-impact development.”)

(8) Provision of covered bike parking sufficient to provide space for one space per every two residential units.

(9) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips

(10) Inclusion of at least one (1) parking space for car sharing vehicles

(11) Mix of residential and non-residential uses such that gross floor area of building space used for non-residential purposes makes up at least 15 percent of the gross floor area used for all purposes.

(12) Provision of public art and/or outdoor amenities for public use.

(13) “Use of surface materials that reflect heat rather than absorb it” as recommended by the Planning Board.

(14) “Use of devices that shade at least 30% of south-facing and west-facing building facades” as recommended by the Planning Board.

Section 3. Subsection 15-141.4 (c) is amended by the addition of a new phrase so that it reads as follows:

(c) Subject to the provisions of subsection (f), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds as described in subsection (a), except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.

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