

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD BANKS WITH DRIVE-THRU WINDOWS, FREESTANDING AUTOMATIC TELLER MACHINES, AND CERTAIN TYPES OF RESTAURANTS TO THE LIST OF USES THAT ARE PERMISSIBLE IN THE M-1 DISTRICT WITH A CONDITIONAL USE PERMIT, SUBJECT TO CERTAIN CRITERIA

\*DRAFT 10-15-2013\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS”

Section 1. Section 15-146 of the Carrboro Land Use Ordinance (the Table of Permissible Uses) is amended by placing the letter “C” in the M-1 district column opposing the following uses classifications to indicate that these uses are permissible in the M-1 zoning district with a conditional use permit subject to the criteria in subsection 15-176.6.

~~3.230 Banks with Drive-in window~~

3.250 Freestanding Automatic Teller Machine

8.000 Restaurants (including food delivery services), Bars, Night Clubs

8.200 Outside service or consumption

8.500 Carry out service (picked up inside for off-premises consumption)

8.600 Food delivery

Section 2. Subsection 15-176 is amended with a new Section 15-176.6, Banks and Restaurant Uses Within M-1 Districts. Notwithstanding the foregoing provisions in Section 15-146, uses ~~3.230~~, 3.250, 8.000, 8.200, 8.500 and 8.600 shall be allowed in the M-1 zoning district with a conditional use permit subject to the following conditions.

The combined area of uses ~~3.230~~, 3.250, 8.000, 8.200, 8.500 and 8.600 shall not exceed 25 percent of the developable portion of the property, unless the development provides site and building elements that will create a more vibrant and successful community and provide essential public infrastructure.

Site and building elements are intended to be selected from at least two of the following five areas: stormwater management and water conservation, on-site energy production and energy conservation, alternative transportation, creation of new and innovative light manufacturing operations, and the provision of public art and/or provision of outdoor amenities for public use. Conditions that may be included to meet the above stated objective include but shall not be limited to the following:

- (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. 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).
  - b. “Designed to Earn the Energy Star” rating.
  - c. Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type.
  - d. 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.
  - e. LEED certification to achieve 50% CO2 emission reduction, or LEED silver certification
  - f. US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030.
  - g. Specific energy saving features, including but not limited to the following, are encouraged..
    - 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).
    - vii. Active and passive solar features.
- (3) Provision of onsite facilities (e.g. solar, wind, geothermal) that will provide 5% of electricity demand associated with the project.
- (4) Use of harvested rainwater for toilet flushing.
- (5) Inclusion of Low Impact Development features.
- (6) Use of surface materials that reflect heat rather than absorb it.
- (7) 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, or substantial improvement to public infrastructure related to transportation or access to transit.
- (8) Provision of public art and/or outdoor amenities for public use.
- (9) Use of devices that shade at least 30% of south-facing and west-facing building facades.
- (10) .The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.