

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY
USES, BUILDING HEIGHT, AND OPEN SPACE STANDARDS RELATED TO THE M-3
SPECIAL LIGHT MANUFACTURING DISTRICT

DRAFT 04-20-23

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-141.4 (n) of the Carrboro Land Use Ordinance is amended to read as follows:

(n) For property that is zoned M-3-CZ, pursuant to subsection 15-141.4(c)(2) the following provisions shall apply.

- (1) If the Town Council concludes that a proposed development of property zoned M-3- CZ will contain site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, the Council may approve a special use permit-A that allows up to a specified maximum percentage of the gross floor area and/or a maximum residential density of the development to be devoted to any combination of uses 1.310, 1.321, 1.322, 1.331, 1.332, 8.100, 8.200, 8.500, 8.600, and 8.700. The specified maximum percentage of the gross floor area of the development that may be devoted to such uses shall be proportional to the extent to which the development provides site and building elements that exceed the basic requirements of this ordinance. Such site and building elements are intended to be selected from the following five areas: stormwater management and water conservation; substantial transportation improvement and alternative transportation enhancement; on-site energy production and energy conservation; creation of new and innovative light manufacturing operations; and the provision of public art and/or provision of outdoor amenities for public use.
- (2) The following relationships between site and building elements and uses are hereby deemed to satisfy the standard set forth in subdivision (1) of this subsection: (i) up to fifteen percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of uses, 8.100, 8.200, 8.500, 8.600, and 8.700 if the development includes at least fifteen percent of the examples of performance measures from the five areas of site and building element categories set forth below; (ii) up to thirty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of 8.100, 8.200, 8.500, 8.600, and 8.700 and/or a residential density equivalent to that provided in the R-3 zoning district for any combination of 1.310, 1.321, 1.322, 1.331, 1.332, uses if the development includes at least thirty percent of the examples of performance measures from the five areas of site and building element categories set forth below; and (iii) up to forty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of may be devoted to any combination of 8.100, 8.200, 8.500, 8.600, and 8.700 and/or a residential density equivalent to that provided in the R-2 zoning district for any combination of 1.310, 1.321, 1.322, 1.331, 1.332, if the development includes at least forty percent of the examples of performance measures from the five areas of site and building element categories set forth below. In addition, the Council may allow up to forty percent of a development approved pursuant to

this section to be devoted to any combination of the foregoing may be devoted to any combination of 8.100, 8.200, 8.500, 8.600, and 8.700 and/or a residential density equivalent to that provided in the R-3 zoning district for any combination of 1.310, 1.321, 1.322, 1.331, 1.332, uses if it concludes that the development will be making a substantial enough investment in one or more of the performance measures listed below to satisfy the standard set forth in subdivision (1) of this subsection.

Section 2. Article IX is amended by modifying subsection (n)(3) to read as follows:

- (3) In approving a special use permit-A for a development of infill property zoned M-3-CZ, the Council may allow deviations from the otherwise applicable standards relating to public streets, open space and recreational facilities, and building height as follows:
 - a. The Council may approve a curb and gutter street having a right-of way of not less than 50 feet, travel lanes of not less than 11 feet, divided by a raised concrete median, with a two foot planting strip and a five foot sidewalk if the development provides a separate ten-foot wide paved bike path or shared-use path that constitutes a satisfactory alternative to a bike lane with the street right-of-way and if the applicant can demonstrate that the proposed road will provide the functional equivalent to the required street classification standard for all modes of travel from the point of origin to the terminus at the property boundaries.
 - b. The Council may approve a street lighting system consisting of LED lights on 15 foot poles if satisfactory arrangements are made to ensure that all costs associated with the installation, operation, and maintenance of such poles and lights are borne by the developer or the developer's successor, and not the Town.
 - c. The Council may approve a street tree planting plan that provides for the installation of fewer 6" caliper trees rather than the planting of more numerous 2" caliper trees required by Section 15-316.
 - d. The Council may approve downtown livability areas and urban amenities as provided in Article XIII, Section 15-204 to satisfy recreational facilities and open space requirements applicable to a development that includes residential uses.
 - e. The Council may approve a maximum building height of four (4) stories for buildings in the residential portions of an M-3 CZ district.

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

Section 4. This ordinance shall become effective upon adoption.